AKWESASNE NOTES

VOLUME 18, NUMBER 1

MID WINTER 1986

WHERE THE PARTRIDGE DRUMS

AKWESASNE NOTES
Mohawk Nation
P.O. Box 196
Rooseveltown, NY 13683-0196

Honor: Lee Lyons and Wallace "Mad Bear" Anderson
Water Selling & The Grand Canal Scheme
Big Mountain Updates
Innu Campaign Against Militarization of Ntesinan
Nicaraguan/Miskito Firefight
Aboriginal Hunting & Trapping Rights
Human Rights in Guatemala
Destruction of the Amazon
Torture & Disappearances in Peru
Exploitation of Native Lands in Malaysia & Brazil

Akwesasne students enjoying recess activities. Photo: Bob King

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Notes needs art work! Especially small graphic fillers.

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NEEDED FOR NOTES

These items would be greatly appreciated: AA batteries, new van, safelights (3), lights for reproduction work, flash units (3), strapping tape, 5¼" computer disks, garbage bags, school & office supplies, paste-up supplies: x-acto knives & blades, border tapes, wax for hand-held waxer, paste-up sheets (all sizes), black construction paper, 35 mm camera in good working condition, scotch tape, typewriters, scissors, answering machine w/tapes, tape recorder, and yarn.

How It Is

In this new year we hope to see the Sandinistas finally sit with the Miskito and negotiate a final settlement agreeable to both sides. Nicaragua needs all of its people working together if they are to survive.

Of great concern is the proposed relocation of Navajo people from the Joint-Use Area at Big Mountain. This must not happen! We asked for updates on Big Mt., so please read them and do whatever you can to see that the relocation does not occur.

It would be good to have one or two "observers" from each of our native nations and tribes be there as soon as possible, to show support for the traditional Navajo and Hopi people who wish only to coexist as neighbors. Many non-native individuals and groups are right now doing a great job of supporting the Big Mt. people. We thank them and urge them to continue.

This mass relocation must not happen!

Indigenous people worldwide continue to suffer many forms of genocide, from the stripping away of forests and other natural resources, to pollution and the "Disappeared" of Central and South America. The killing of our people continues, and so AKWESASNE NOTES must continue reporting these events.

I have put in two years as Notes editor and am about to pursue other work. I wish to thank the many writers and others who send in materials for us to use in NOTES. I urge them to keep sending their work to the new editor, for without your help there wouldn't be a NOTES.

It's been hard work, but well worth it to see NOTES once again grow in readership.

Niawen tanon Onen,
Aroniawenrate

Haudenosaunee To Form Trade Commission

The Six Nations Haudenosaunee Confederacy at Onondaga hosted delegates from several of its member nations January 25, 1986 to discuss the formation of an inter-nation trade and commerce commission to regulate businesses upon Iroquois territory. Of particular concern to the delegates was the need to control the marketing of cigarettes and petroleum products by natives which has been subject to considerable controversy recently.

According to a proposal drawn up by a committee selected by the Haudenosaunee's Grand Council, each of the Iroquois nations would appoint a three member trade commission to oversee the licensing and regulation of wholly owned native businesses beginning with the attempt to impose strict rules over multi-million dollar cigarette and fuel sales.

At the Mohawk territory of Akwesasne, five fuel dealers were convicted in an Ontario, Canada court of illegally exporting fuel into the United States in violation of Canadian law. The Akwesasne community is divided in half by the US-Canada border. Also at Akwesasne four people, including a former chief of the St. Regis Band Council, were arrested in October for smuggling liquor and cigarettes into Canada.

The proposed trade and commerce commissioners would avoid such incidents by using the soverèign powers of the Confederacy and by asking both Canada and the U.S. to work with the Grand Council to prosecute those businesses which do not adhere to the new trade rules.

The trade commission would be funded by the collecting of a percentage of the revenues from each business with a Haudenosaunee license. The delegates at the Onondaga session proposed that 10% of the collected income go to the Grand Council at Onondaga with another 10% to go to each nation government.

The trade commissioners would be selected by each nation council to serve for a period of one year with members of the councils exempt from serving as a commissioner. All the regional trade commissioners would meet four times a year at Onondaga to report to the Grand Council.

The trade commission would seek the outlawing of all gambling activities upon Haudenosaunee territory with the exception of native owned bingo games. The trade and commerce commission is expected to be endorsed by the Haudenosaunee Grand Council on February first.

—Kanentiio

Honor

Joyondawde
Lee A. Lyons
Wolf Clan, Seneca Nation

Onondaga Nation, December 18, 1985

Dear Friends,

On December 9th, 1985, 6:42 p.m., Joyondawde, Lee A. Lyons, Wolf Clan, Seneca Nation, stepped over to the spirit world, his work on this side completed. He died of complications from open heart surgery at the Buffalo Veterans Hospital, Buffalo, N.Y. He was buried at Onondaga by the Longhouse, December 12, 1985.

Lee's first career was in the military, Airborne and Special Forces. He served with distinction and was awarded the Distinguished Service Cross, the Silver Star, two Bronze Stars with oakleaf clusters.

When he returned home, he began an even more distinguished service for the Onondaga Nation, the Haudenosaunee, and the indigenous people of the Western Hemisphere.

After his retirement, Lee attended Syracuse University working towards a bachelor's degree, and was currently studying for a master's degree in the Department of Native American studies at the State University of New York at Buffalo.

Lee was currently researching for the Haudenosaunee on the issues of military conscription, the return of the wampums, the return of the sacred ceremonial masks, the issue of Indian grave disturbances and the return of Indian bones taken from graves.

He was a "runner" for the Onondagas, the Haudenosaunee and the Traditional Elders Circle. For the Onondagas he worked tirelessly in the areas of education as it related to treaties and New York State, and he often represented the Chiefs' Council on affairs of State.

For the Haudenosaunee he was chosen as a delegate to the International Treaty Councils; to the Centennial of the Battle at the Little Big Horn; to the historic Conference on Human Rights of Indigenous People of the Western Hemisphere, 1977, in Geneva, Switzerland; the Russell Tribunal, in Rotterdam, Netherlands, 1980; the organization and conference of the Working Group for Indigenous People of the Western Hemisphere in Geneva, Switzerland, 1981. His travels for the Indian Nation also carried him to France, Germany and Denmark. He was active in the siege at Akwesasne, 1979-81; he worked hard for the sanctuary of Dennis Banks at Onondaga in 1983; and he was an active member of the Haudenosaunee Land Rights Committee.

Lee was a runner for the Traditional Elders' Circle and travelled to the four directions on their behalf. He has attended their meetings in Northern Cheyenne; Three Forks, Montana; Hopi; Okemah, Oklahoma; Big Mountain; Santa Clara Pueblo; and Onondaga.

Joyondawde worked tirelessly and with devotion for the Ongwehoway (Indian people), he worked for peace and justice for all people. It is with sadness that we bring you this news, but it is with gratitude that we shared our life and work with him. His generosity and good humor will be remembered by those of us who carry on. He was a warrior and a statesman.

Dahnayto
The family of Joyondawde

Lee Lyons and Vince Johnson
1978-Longest Walk
Washington, D.C.

Greetings Mrs. Winifred Lyons and family:

The news of Lee's death has left us with a great sense of loss. We extend our condolences to you, to all of your family, and to the Onondaga Nation. The personal loss to your family and to the Onondaga community cannot be measured, and we know it is a heavy burden. We share that burden, and we want you to know that our thoughts, our sympathy and our support are with you.

I would like to share with you some of my thoughts regarding Lee's special qualities from my perspective. My contact with Lee was within the context of the Elders Circle. In that group of outstanding leaders of Nations and communities, Lee was special. He stood out in many ways. His commitment to the welfare of his own people and all Indian Nations was total, and he spent himself unselfishly and completely on their behalf. He stood for principle, and did not compromise for the sake of expediency, or for any of the reasons that often tempt lesser people.

In the Circle Lee probably was considered to be a "runner". That meant that he was called upon to fulfill any and all functions, usually involving action, personal participation, sometimes confrontation, and skills at dealing with the "nuts and bolts" detail of whatever issues were at hand. Lee was superb in that role. But he could participate equally well in roles taken by the most experienced Elders. I remember one occasion in Seattle when he substituted for Phillip Deere in a cross-cultural forum. Except for the black hat and prepossessing aura which were unique to Phillip, Lee was as effective as Phillip would have been.

The tragedy of Lee's loss is greater because he was in the prime of life, and had a great deal yet to give his people and the world. His last words to me just a few days before he was admitted to the hospital were "I want to get this behind me because I have a lot to do." His efforts on our behalf will now be from a new dimension but we can be sure that they will be made to the full extent of whatever new capacities he possesses.

Over the generations the Six Nations have produced many strong, dedicated and courageous men and women of principle. Lee has a place of honor in that heritage. While that fact will not take away the weight of your loss, it should help cushion the burden.

Please know that you have our sympathy and our concern.

Sincerely,
Robert Staffanson
American Indian Institute
P.O. Box 1388
Bozeman, Montana 59715
(406) 587-1002

Mad Bear
Wallace Anderson
Tuscarora Activist
1927-1985

Wallace "Mad Bear" Anderson, the Tuscarora activist, was a man whose dedication to his people was as big as his 300 pound body. Mad Bear was the most widely known native leader of the 1950s and early 60s. He could be found wherever there was a fight between native people and the "government", whether it be in the Pacific Northwest, the California desert or on his own home territory. He was a brilliant orator who had the ability to fire an audience into action or carry it to the highest spiritual levels.

Mad Bear was a sailor by profession. He had travelled around the world and spoke with enthusiasm of his visits to China, India, Africa and Europe. Perhaps it was this wealth of experiences about the world's peoples that made him such a determined fighter in North America.

One of his most notable achievements was his recognition of the efforts of Fidel Castro to liberate his people from the exploitation of a few wealthy families and for the first time give the Cuban people real power. Mad Bear went to Havanna to examine Castro's revolution and found out that it was more than a one man rebellion but a true people's movement. He returned from his discussions with Castro with an offer of friendship between the Cuban people and the Haudenosaunee.

Mad Bear on the Longest Walk, 1978

Mad Bear found out early that being a recognized leader of native people was not without it's hazards. He was harassed by the U.S. government, assailed by the press and suffered assaults on his person. He did not waiver however and only seemed to grow in stature.

Mad Bear was here at Akwesasne in 1968 and 1969 when our people needed the words of encouragement he spoke. He was a witness to the birth of NOTES and remained one of its main supporters over the years. In the 50s Mad Bear used a protest tactic, the sitdown, before most people knew what it was. When the Unity Caravans tooks the roads in the late 60s Mad Bear was there. He led the fight against the New York Power Authority when that body took parts of his home territory (Kinzua Dam). He also did battle with the New York Thruway and when many Haudenosaunee faced fines and jail because of non-payment of federal and state taxes Mad Bear was there to force the government to back down. He knew his native rights and fought for them. He was a dedicated supporter of the Haudenosaunee Confederacy and was often seen at Onondaga attending political or ceremonial gatherings.

In a year when Native People suffered the loss of some of it's most creative leaders, including Mad Bear, we are left to abide by their example of what it means to be truly Indian. Mad Bear was as his name suggests, a fighter.

—Kanentiio

Akwesasne Children at Mohawk School

OUR CHILDREN, THE YOUNGER ONES

We Think Of Our Children Now, Just As our Ancestors Thought Of Us. It Is For Them, And Their Children, That We Now Defend Our Land And Life. It Is The Creator Who Has Entrusted The Young Ones To Us For A Short Time — They Do Not Belong To Us, So We Must Take Our Trust Seriously.

Our Children! You Bring Us Much Joy, And The Hope That Life Will Continue. We Are Grateful To You. We'll See That You Have Space For Your Feet, And Spirit.

On Kawehnohkowenne (Cornwall Island)

Photos by Bob King

We Are Sovereign Peoples
Our Families Are Foundations
Of Our Nations — We Move
Forward With our
Grandparents As Our Guides.
And Our Children In Our Arms.

Water Selling

THE GRAND CANAL SCHEME: James Bay, Northern Canada, Again A Target

We Mohawk people, especially those of us settled along the St. Lawrence River, know well the consequences of "water management" policies. Perhaps the best example is the St. Lawrence Seaway at Kahnawake where a canal has replaced our beautiful river. Instead of being able to look out across the river, there is now a pile of rubble to look at. The water within the canal is dirty looking, smelly and oily.

So let's also keep Project Archipel (see Notes Vol. 17, No. 1, Mid Winter 1985) in mind as we read about the Grand Canal Scheme.

Project Archipel wishes to dam the St. Lawrence River at Kahnawake and thus destroy the Lachine Rapids, one of the few remaining free rapids on the St. Lawrence.

The Grand Canal Scheme would dam the mouth of James Bay where it enters Hudson Bay to create a fresh water lake. This fresh water would then be pumped to the west and southwest of this continent.

Upon hearing of the scheme, we wrote to CASNP (Canadian Alliance in Solidary with the Native People, 16 Sadina Road, Toronto, Ontario, M5R 2S7). They responded quickly with what information they had on hand. We will begin by excerpting from their letter to us and then presenting the materials sent. Mega projects such as these must eventually touch upon and affect all of us, including the whole of earth's environment. Once again a government (or is it two governments?) would take a natural resource and change it to suit themselves under the usual pretense of doing good for the people. The only real motive for such is the PROFIT MOTIVE! Let's not let any government burden us with such schemes. Great plans tend to fizzle-out too often. A look at the St. Lawrence Seaway is a good example of a big scheme which is not paying off. Delays, accidents, winter closing and slow shipment have sent shippers seeking faster means.

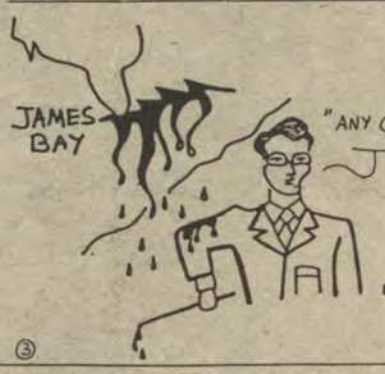
November 22, 1985

Greetings from Toronto,
Enclosed is an information package related to a water diversion scheme called, "The GRAND Canal Concept", which was recently promoted at a public forum sponsored by the Canadian Environmental Law Association, C.E.L.A.
The letter and Fact Sheet, were sent to Band Council's along the proposed route. The letter should also help you to better understand C.A.S.N.P.'s perspective. We have enclosed everything we have to date except for books, which you will find references for in the bibliograph section of the Fact Sheet. We will forward more information as it becomes available.
Details of the proposed GRAND Canal were outlined by its inventor, Newfoundland engineer Thomas Kierans, and the other panelists included an environmentalist from Great Lakes United; a representative for the Ontario Ministry of the Environment; a Federal bureaucrat who was involved with the Canadian Inquiry on Water Policy; Grand Chief Dennis Cromary of the Nishnawbe-Aski Nation; and, Michael Keating of the Globe and Mail newspaper acted as the moderator.
The hall was packed, about 250 people, and included representatives from many Indian nations. This was perhaps the first time that there was significant Native input from the outset of plans for such a mega-project. The U.S is directly involved, as you will see, and your People's support will be crucial once GRANDCO polishes up its marketing techniques and the Canadian position on **Free Trade** becomes clearer.
In Solidary,
signed
John Hummel
Canadian Alliance in Solidary with the Native Peoples

"RAMBO II"
Bourassa's Epic "James Bay: First Blood"; 10 years in the making, thousands of acres flooded, you trembled, you cried, 10,000 caribou died...NOW, at long last...

The most ambitious sequel in Canadian Image-making, Bourassa stars in: "RAMBO II: Second Blood"
!

Directed by: Robert Bourassa
Produced by: Reagan Mulroney
Special Effects: Grandco Unlimited



Coming soon to flush your toilet and rinse your bodies in PCBs.

A Free Trade Presentation

Friends:
I am writing on behalf of the Executive Working Group of the Board of Directors of the Canadian Aliance in Solidarity with Native Peoples, (CASNP) to inquire about the concerns of your community regarding the proposed construction of the Grand Canal.

Our research indicates that your community lies directly in the path of this water diversion project. We are opposed to this project, and others like it, for many reasons but primarily because it continues to propagate the "need" to control and manipulate the land and its resources in the service of greed and destruction.

The Canadian Environmental Law Association will present this situation to a large public assembly during its 1985 annual general meeting on Wednesday November 20th at Toronto City hall. Among speakers will be the engineer responsbile for the plan, Mr. Kierans, and we are hoping to sponsor someone from the James Bay region to also speak on the same panel.

A strong demonstration of our collective oppositions to this project in the early stages of its development will help to ensure balanced media coverage both now and in the future; greater awareness of all the implications of a project of this nature; and, will stress that even though this may seem a *distant possibility* it is actually a likely *probability* unless we speak up in unison in defense of land and life.
Protect Mother Earth,
signed
David Shanks, Chairperson
Executive Working Group

P.S. Be advised that water is a major bargaining chip in the current round of free trade talks between Canada and the United States, therefore your future and the lives of your children are at stake.

THE GRAND CANAL COMPANY LIMITED
(GRANDCO)

21 October 1985

Head Office:
37 MacKenzie St.
St. John's, NF
Canada
Telephone 709-753-4771

Business Office:
Devon House
59 Duckworth St.
St. John's, NF
Telephone 709-726-8324

Mailing Adress:
P.O. Box 5753
St. John's, NF
A1C 5X3

Introduction to the GRAND Canal A Canadian Water Management Concept for the 21st Century

"Water is the lifeblood of our land."
Currents of Change, Final Report of the Inquiry on Federal Water Policy

THE CONCEPT
The Great Recycling and Northern Development (GRAND) Canal concept has been designed to assist in resolving the rapidly growing environmental and water management concerns of the 160 million people living in the industrialized Great Lakes-St. Lawrence Basin and the food producing areas of Canada and the USA. Environmental conditions in many of these areas are now reliably forecast to worsen.

At the same time, the GRAND Canal's water recycling systems will protect and enhance natural resource development opportunities for the native and other residents of the 700,000 km² watershed of James Bay.

To achieve the above goals, GRANDCO proposes the creation of a sea-level, freshwater lake in James Bay which will impound a portion of the very large natural run-off of rivers flowing into the bay. This new, dyke-enclosed, source of fresh water for Canada will be similar in conceptual design to the prized and highly profitable IJselmeer of Holland which was created in 1932. That valuable European source of fresh water was once, like James Bay, a salty arm of the sea until it was enclosed by dykes.

The total average flow of James Bay basin run-off is equal to about twice that of all the Great Lakes combined. It is proposed that up to about 20% of the natural run-off into James Bay will be made available for recycling to the Great Lakes via the GRAND Canal. This new system of aqueducts will link the new northern lake with the mid-continent through the Great Lakes. The run-off not required for recycling will be released into Hudson Bay through control structures in the containing dyke system.

The Canal's series of long, stepped reservoirs with retaining structures at each end will transfer the recycled water to the Great Lakes using suitable pumping stations and power plants. The Canal's reservoirs and aqueducts will lie within those river valleys selected to assure the fully controlled delivery of the volume of recycled water required to meet changing needs. In California, since the mid-1930s, a similar system of integrated storage reservoirs, aqueducts, pumping stations and power plants has made that state one of the most agriculturally productive areas in the world and has dramatically reduced environmental damage due to flooding and land erosion.

CONCEPT BENEFITS
The capacity of the GRAND Canal will be designed to provide adequate and controlled volumes of new water to the Great Lakes. The new inflows will be adjusted in conformity with changing natural precipitation, anticipated increased consumptive use of water, and new water outflows to relieve water short areas in Canada and the USA. This capability to fully control new inflows and outflows for the Great Lakes will improve their water volume stabilization by about 50% over the wide natural fluctuations presently endured. This new volume control capability will also tend to improve water quality, particularly during natural low flow conditions because of the reduction in the concentrations of irreducible pollutants in the Lakes.

Water levels in the new northern lake will also be controlled so as to stabilize the shoreline of James Bay. For many years this shoreline, vital to migrating waterfowl, has been shrinking due to natural, post glacial uplift. Additional benefits resulting from the implementation of the Concept will include:
— Hundreds of thousands of new employment opportunities.
— An important new network of base load and peak use electric power. This energy system will promote the international use of Canadian hydro and Candu sources of energy. This should result in a significant reduction of acid rain from fossil fuel burning power plants.
— Improve trade between the people of Canada and the United States.

CONCEPT RECOGNITION
The GRAND Canal Concept was first developed by T.W. Kierans, P.Eng., of St. John's, Newfoundland, when he was a northern prospector in the early 30's. It was first proposed to the Canadian government in 1960 and elaborated again in 1965. More recently it

was described to the MacDonald Royal Commission, the Canadian Inquiry on Federal Water Policy and the 1984 Ontario Government's Futures in Water Conferences. It has elicited widespread comment in conferences and the press throughout the past year.

Former Quebec Premier Robert Bourassa has strongly supported studies into its implementation in his recent book *Power From The North* and in public interviews.

THE GRAND CANAL COMPANY LTD.

The GRAND Canal Company Limited (GRANDCO) is a Canadian, investor-owned Company with its head office in St. John's, Newfoundland. It has been incorporated to implement the concept as an environmentally beneficial project and to ensure that leadership in the implementation of the Concept originates in Canada.

GRANDCO OBJECTIVES

GRANDCO's ultimate goal is to develop the GRAND Canal Concept as Project Developer/Manager under contractual arrangments with each and all of the many participating national and international public jurisdictions. The Company's long-term objective is to create the means whereby all cooperating regions of Canada and the United States with water deficits can maintain the quality of their lifestyle and environment with access to adequate and dependable managed, good quality water supplies, suitable drainage and associated protection against flooding.

THE GRANDCO ENGINEERING JOINT VENTURE

GRANDCO now has an agreement with a Joint Venture of four leading Canadian engineering and construction management companies who are carrying out engineering studies and providing related services directed towards the development of a project embodying the Concept. The Joint Venture is sponsored by SNC of Montreal. The other participating companies are Bechtel Canada Ltd. of Toronto, the UMA Group of Calgary, the Rousseau, Sauve and Warren Inc. of Montreal.

COSTS, REVENUES AND ASSETS

Recent studies and experience in both Canada and the USA suggest there is now a growing demand for secure supplies of fresh water. This demand can be met by the new water source proposed for James Bay. The development will be phased in response to demand. Early estimates suggest that the construction of dykes, aqueducts, pumping stations and power sources that may comprise the first phase of development could be accomplished in a decade. Ultimately, the cost of facilities to impound and transmit water to the Great Lakes may be in the order of $50 billion. The water distribution, storage and management systems required to deliver water on demand to the Canadian west and to the south of the Great Lakes may cost as much.

As an investor-owned company, with some of the investors being crown corporations such as the hydro corporations of Ontario, Quebec and Manitoba, GRANDCO revenues will, for the most part, be derived from contracts with the benefiting jurisdictions. These revenues will be related to substantially improved long-term resource utilization in all participating regions of Canada and the United States. As shown in California, large and widespread increases in economic activity can be expected to occur following the introduction of improved water management and the provision of adequate water supplies to the public service infrastructures of areas now suffering from water shortages.

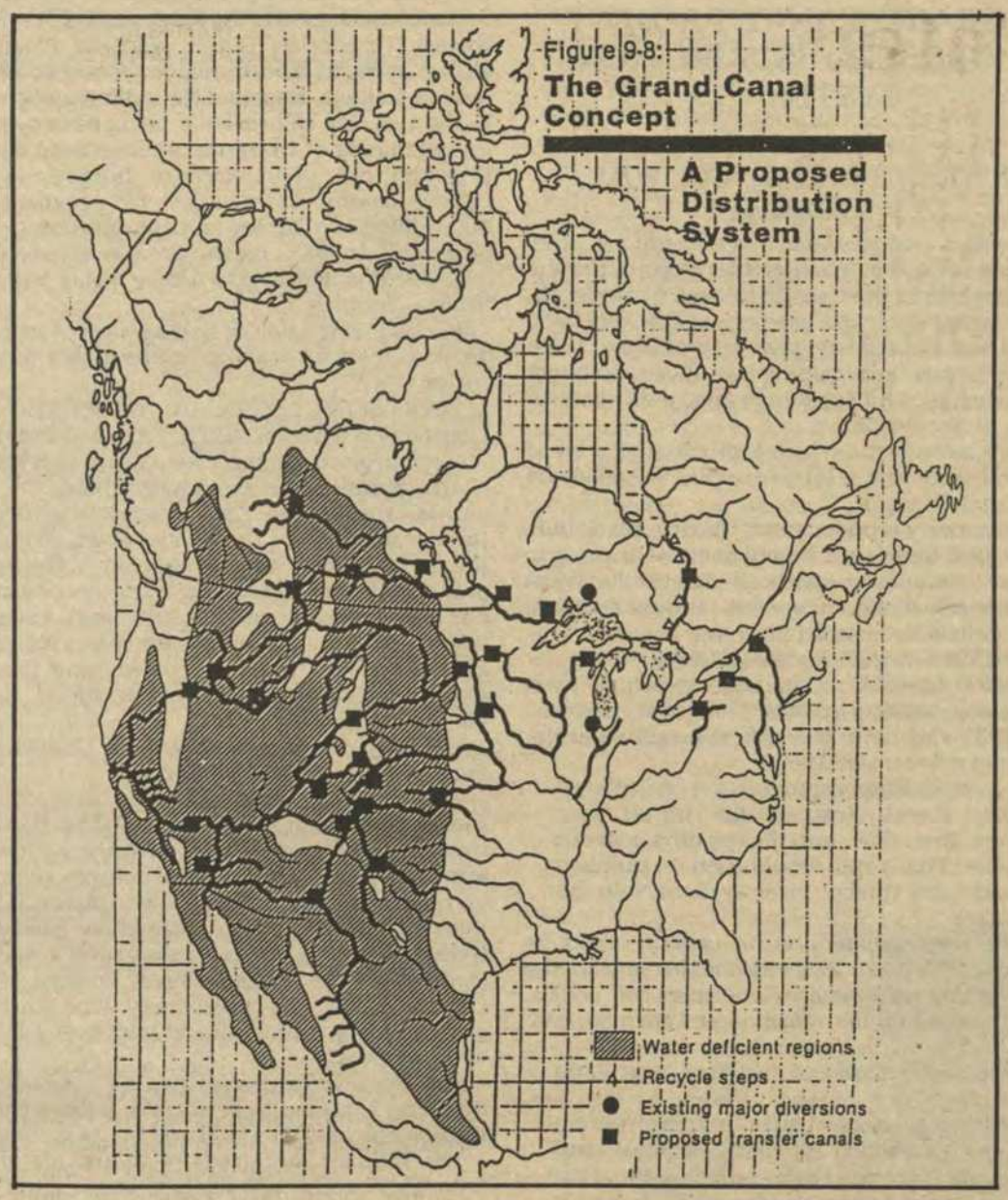
To assist in providing construction funding GRANDCO will seek natural resource grants which will be associated with Project development in participating jurisdictions.

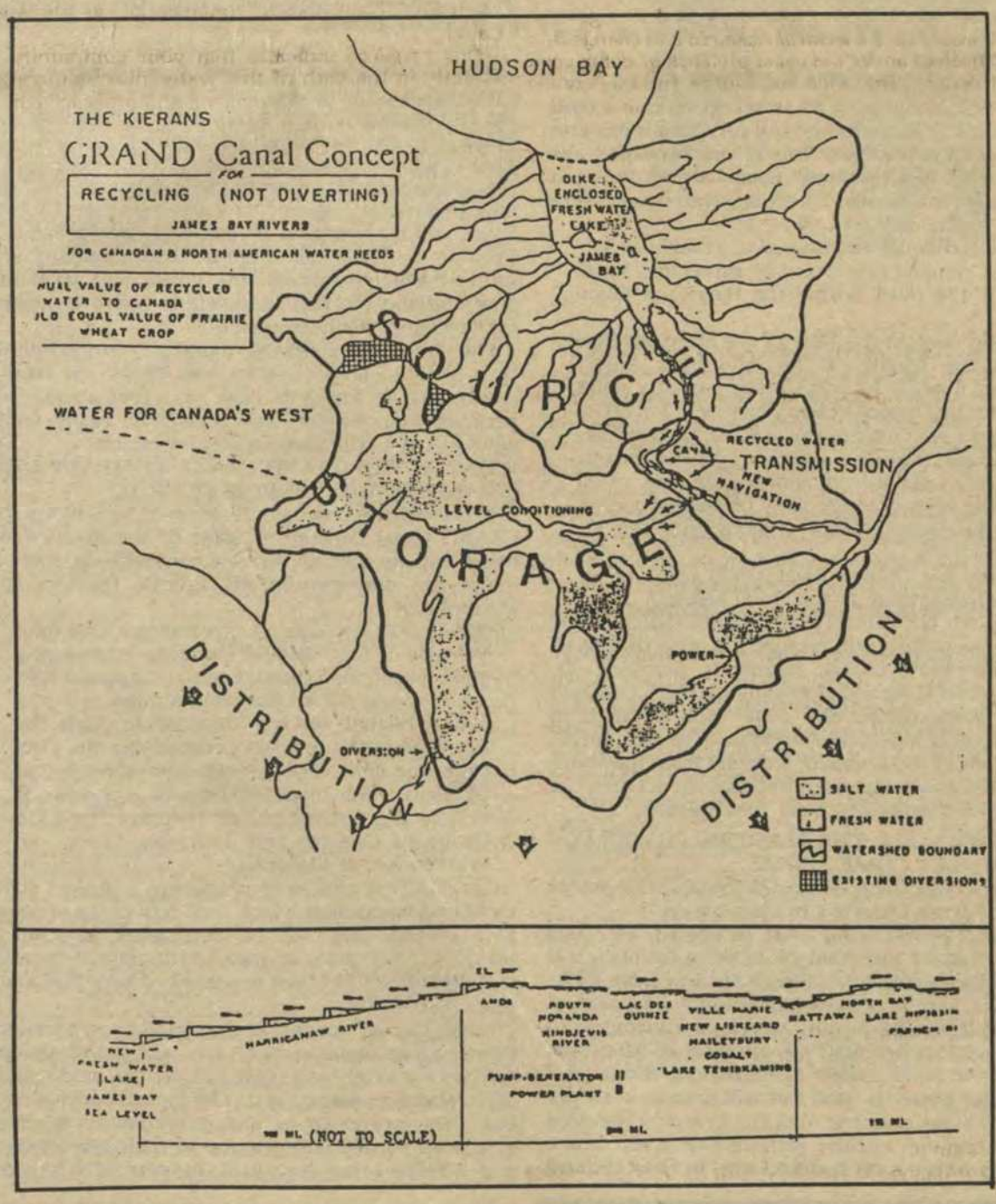
ACTIVITY

GRANDCO is now conducting a phased, multi-year, social, environmental, technical and economic research, design and development program. This work, now in its early stages, is to be carried out in conjunction with native people's organizations, with environmental and regulatory bodies, as well as with research and other public and private groups interested in the development of the Concept.

The first phase, now underway, is the preparation of a Project Statement and Assessment which will describe the proposal in comprehensive social, engineering and economic terms. It will cost in the order of $1.5 million and will be completed in 1986. The full program of engineering, environmental and economic studies and other preconstruction activities will require at lease five additional years and cost an estimated $100 million.

The Project Statement and Assessment will be used to seek approval in principle from public authorities for ongoing engineering work and investor financing. Information and public response sessions are planned for all areas involved in the Concept.





THE GRAND CANAL PROJECT A PROPOSED DISTRIBUTION SYSTEM

THE GRAND CANAL AND YOU: A FACT SHEET

For many years engineers have been proposing major diversions of water from Northern Canada to the United States and to the Canadian West. Until recently massive water diversion schemes of this sort have been dismissed as urealistic pipe dreams. Now, some of these schemes are gaining significant support from corporations and from high level politicians on both sides of the border.

One diversion scheme which is stimulating a lot of interest and is getting a lot of support is called the GRAND Canal Concept.

Your community is on, or near, the proposed route for the GRAND Canal and if implemented is going to effect your community—perhaps drastically. What this amounts to is a major corporate and government attack on Indian Land and Life.

WHAT IS THE GRAND CANAL CONCEPT?

The GRAND Canal Concept was developed by a Newfoundland engineer names, Thomas W. Kierans, between 1933 and 1959. It was first proposed to the Canadian government in 1960.

> "Kierans envisions damning the mouth of James Bay, thereby trapping the run off from the rivers that flow into it, creating a fresh water lake. The water would then be pumped via Ontario and Quebec river systems, into the Great Lakes."[1]

From there the "surplus", as he calls it, could be piped to water hungry American States and to the Canadian West via a collosal network of canals, aqueducts and reservoirs which would span the continent.

> "He estimates the cost of the project at $100 billion."[2]
>
> "Early estimates suggest that the construction of dykes, aqueducts, pumping stations and power sources that may comprise the first phase of development could be accomplished in a decade."[3]

WHAT IS THE PROPOSED ROUTE FOR THIS PROJECT?

To begin with, a 100 mile long dyke would be constructed near the mouth of James Bay which would close it off from Hudson Bay and turn James Bay into a freshwater lake. Once this is accomplished the water would be "recycled" (diverted) South via a huge system of canals. The preferred route is as follows:

> "the water would be pumped to a height of 950 feet via stepped reservoirs or aqueducts, for a total of 170 miles within the Harricana River Valley."[4]

This would reverse the flow of the Harrican River.

> "From the height of the land near Amos, Quebec, it could be transferred across a short canal to the Upper Ottawa River near Val D'Or. It would then flow Southward and be transferred to Lake Nipissing and then, via the French River, into Lake Huron. Some of the new water would be permitted to follow its natural course from the Ottawa River directly into the St. Lawrence---"[5]
>
> "In time, the Ottawa River could serve as an alternative seaway to the Great Lakes."[6]

WHAT KIND OF CONSTRUCTION IS INVOLVED?

This mega-project will require the construction of dykes, reservoirs, canals, aqueducts, pumping stations, generating stations (possibly nuclear), baseload projects, work camps and a network of roads to move men and machines into your area. The influx of hundreds of thousands of workers from the South may involve town expansions and construction of all the facilities required to meet their needs.

WHERE WILL ALL THE ELECTRIC POWER FOR THIS PROJECT COME FROM?

Energy would come "from Quebec's hydro-power plants and from Ontario's nuclear plants."[7]

Additional power would also be needed and "this power would be provided by peaking facilities and new baseload projects".[8] "One possibility", say Gilles Marnier, a former James Bay Energy Corporation Vice-President who is now closely associated with the project through SNC Corporation of Montreal, "would be to build nuclear stations along the canal."[9]

If nuclear power is used this will present a danger to anyone living near by. Also, the Uranium required to make fuel for nuclear stations will mean more Uranium mining on Indian Land in the U.S. and Canada. The Native communities at Wollaston Lake, Saskatchewan; Fort Franklyn and Fort Rae, Northwest Territories; Cutler, Serpent River, Massey and the North Shore region, Ontario; as well as Lakota, Laguna, Hopi and Navajo Indian communities in the U.S., are all presently being destroyed by continued mining of Uranium. An increased demand for Uranium can only serve to hurt them further. Cancer deaths, miscarriages by pregnant women, birth defects in babies and the poisoning of plants, birds and animals, earth, air and water have been well documented in *Akwesasne Notes* and the book "Indian Country".

It is also worth noting that spent fuel from nuclear plants is used for making bombs which threaten the entire world.

WHAT EFFECT CAN BE EXPECTED IF THE GRAND CANAL PROJECT GOES AHEAD?

Mega-projects damage the natural world and harm Native People. This has always been the case. Examples are endless. The James Bay Hydro Project, the construction of the Bennet Dam, the building of the St. Lawrence Seaway, etc., etc., ...the list goes on and on. All these were mega-projects. What happened? Land was flooded, plants and animals were wiped out, Native People were relocated, traditional livelihoods like trapping, hunting and fishing were wiped out, social breakdowns occurred, Native People died.

This has a name. The name is Genocide or Omnicide (destruction of all life).

The GRAND Canal Concept involves changing saltwater bays into fresh water lakes, flooding land, reversing the natural flow of huge rivers and constructing huge man made structures such as reservoirs and possibly nuclear power plants. It is the opinion of the Canadian Alliance in Solidarity with Native Peoples, C.A.S.N.P., that such a massive project cannot be accomplished without destroying Land and Life. This project may wipe out traditional economies, hurt tourism and hurt Native People who lie in its path.

Building a mega-project can be a messy business. Pollution is bound to result. We believe this will impact on the natural world and on its natural peoples.

The influx of hundreds of thousands of workers from the South is also likely to cause significant problems because they will bring their Southern lifestyles with them.

Here in Toronto there used to be clean rivers, deer, eagles, moose and many fishes. Now the rivers are poisoned, the animals are gone, and we can't even eat the fish because they are full of toxic chemicals like PCB's. This sad state of affairs is due to our lifestyle. That is what we mean by "Southern Lifestyle."

According to Mr. Kierans "it is expected that the new freshwater lake and its water recycling GRAND Canal will be a magnet for general development."[10] Toronto is an example of "general development" and so we have no animals, the rivers and lakes are poisoned and the fish are inedible—another reason for diverting Northern waters.

The impact of the GRAND Canal on your community is likely to be a negative one. **What we would really like to know is how you feel about this project.** You are the only ones who really know what effect it will have on your community.

WHAT IS THE GRAND CANAL COMPANY LTD. (GRANDCO) AND WHAT IS IT UP TO?

This company was recently formed "to develop the GRAND Canal Concept."[11] Some of the investors in this company include "crown corporations such as the hydro corporations of Ontario, Quebec, and Manitoba."[12]

> "GRANDCO now has an agreement with a Joint Venture of four leading Canadian engineering and construction management companies who are carrying out engineering studies and providing related services directed towards the development of a project embodying the Concept. The Joint Venture is sponsored by SNC of Montreal. The other participating companies are: Bechtel Canada Ltd. of Toronto; The UMA Group of Calgary; and Rousseau, Saune and Warren Inc. of Montreal."[13]

GRANDCO is currently preparing a project statement and assessment which "will cost in the order of $1.5 million and will be completed in 1986".[14] GRANDCO also plans to spend $100 million on additional studies which are expected to take five more years to complete.

What this all means is that major corporations (some government owned) are taking this project seriously enough to invest substantial amounts of their, and our, money in it. The logical conclusion is that these corporations and governments involved expect an equally large return of their investments; and, it follows that they want this project to happen.

WHO SUPPORTS THE GRAND CANAL CONCEPT?

Quebec Premier Robert Bourassa, whole-heartedly endorsed the GRAND Canal Concept in his new book "Power From the North" (launched in April at receptions in Montreal and Washington). His book includes an entire chapter about the GRAND Canal and all the wonderful "things" it will do for the people of Quebec. Mr. Bourassa can be expected to push for the implementation of the GRAND Canal Concept. He is no stranger to mega-projects. He is the man responsible for the James Bay Hydro Development Project which hurt the lives of many Native People.

On November 7, 1985, Mr. Bourassa was asked whether the second phase of the hydro project, ($25 billion cost), is threatened by the opposition of the Cree People living in Northern Quebec since Chief Billy Diamond has expressed his opposition to the plan (involving the GRAND Canal scheme). His reply was;

> **"There are several thousand Crees but there are six million Quebeckers and the territory belongs to them. I don't think that the Indian Question is as important now as it was in the seventies."[15]**

In short, Mr. Bourassa is not very intersted in Native Peoples' concerns about the GRAND Canal.

President Ronald Reagan, when he was Governor of California, "made it clear that he was anxious to talk to anyone who might have surplus water available to diversion south."[16]

Prime Minister Brian Mulroney and his conservative government are committed to free trade with the United States. According to Simon Reisman, who is Canada's ambassador for U.S. free trade talks; and, who has also worked as a consultant to the GRAND Canal Company, the GRAND Canal project "could provide a key to the free trade agreement with the United States..."[17]

Prime Minister Mulroney's position was indicated in a recent interview with freelance journalist Rod McQueen. Mr. McQueen reported that "the Prime Minister indicated he might be prepared to sell some of Canada's abundant water to the U.S."[18]

All of this high level interest and support for the GRAND Canal makes it more than likely that this project will go ahead. These men view Water as a commodity to be bought and sold. They do not have respect for Water.

ARE LARGE SCALE WATER DIVERSION PROJECTS, SUCH AS THE GRAND CANAL, REALLY NECESSARY?

Certain regions in Canada and the United States are presently experiencing water shortages. These local deficiencies are predicted to worsen in the coming years if present trends continue.

These water shortages are largely due to waste and mismanagement of local water sources. Another contributing factor is pollution which makes large quantities of water useless and dangerous and may never be able to sustain Life again.

> "Canadian water experts say that the dry west has two options. One is to limit it's growth and live within the constraints of a dry climate. The second is to direct water from northern rivers southward to allow continued expansion of population, agricultural production and industry.
>
> Canada's problems, however, pale beside those of the United States which has 10 times the population and half the water."[19]

In short, massive water diversion projects such as the GRAND Canal are not necessary if people in the dominant society become water conservers rather than water wasters and water polluters. Maybe it is time that the non-Native People on this continent started paying attention to Traditional Native Ways which were once common the world over.

The Hopi Indian People in Arizona have been growing corn in a desert environment since the beginning of time. They don't even use any irrigation yet they have enough to eat. These people have perfected agricultural techniques which are suited for a land with very little water. Hopi People, through their Spiritual Way, maintain Balance and Harmony with the Natural World. This lifestyle has many things to teach us.

The Hopi People are water conservers. They have Love and Respect for the Natural World because they know they are part of that Natural World. They are taken care of by that Natural World. This is a good and responsible Way to live.

SUMMARY AND CONCLUSION

The Grand Canal Concept is, first of all, unnecessary if people in the dominant society become

water conservers rather than water wasters and polluters; and will permanently damage/destroy communities in it's wake.

If it becomes a reality the Canal will seriously damage plants, fish, birds, animals, water and land. If the Natural World is damaged then Native People will be damaged. The evidence for this is that Native People have always been hurt when mega-projects have been built on Indian Lands.

Due to corporate and political support at the highest levels, the GRAND Canal has a good chance of going through. Not only is it being supported with words but with millions of dollars so that the concept can become a reality. They are very serious about this project.

If this project goes through; your community may be seriously affected by it. Our only chance of preventing this project is to join together now and voice our strong opposition to it. One small community standing alone against this project will have little chance of success. We must all stand together because we all share this one earth. There is no other way.

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COMPILED BY: John Hummel, CASNP

Water Selling
The Mulroney Government's Real Free Trade Strategy

by Dr. Tony Hall, Dept. of Native Studies, University of Sudbury

The appointment of Simon Reisman as Canada's ambassador for U.S. free trade talks removes any doubt that selling off the country's fresh water resources is the key agenda item of the Mulroney Government's free trade policy. Mr. Reisman comes to the job directly from work as a consultant to the Grand Canal Company (Grandco) of St. John's Newfoundland. The firm, which has among its investors the Crown hydro corporations of Ontario, Quebec and Manitoba, has been developing a $100 billion plan to re-direct the fresh waters of the James Bay watershed into the Great Lakes. The scheme, entitled 'The Great Recycling and Northern Development (Grand) Canal', envisages further that some of the water from a heightened Great Lakes would be diverted into the American mid-West. From there it would be pumped into the Southwestern United States, an area of high population growth which has already reached the development limitations of its local water resources.

Mr. Reisman is already on record advocating that the possibility of selling fresh water represents Canada's "best opportunity" of securing a free trade deal with the United States. So clearly his appointment as free trade ambassador signals that Grandco has an inside track on what may become the most massive engineering project the world has ever seen.

Although the Grandco scheme has not yet been much associated with the free trade debate and its larger implications for Canadian sovereignty, neither has the project been hidden from some public scrutiny. Indeed, Robert Bourassa has praised the Grandco concept in his book, *Power from the North.* And in his election campaign he has openly promoted the daming of James Bay to create an enormous fresh water reservoir to feed a redesigned North American drainage system.

The President of Grandco and the project's principal planner is Thomas W. Kierans, a former prospector and mining engineer with Sudbury's Inco operation. He developed the basic concept for the plan during the dust bowl days of the 1930s when he was prospecting for minerals on the Precambrian Shield. Through subsequent studies Kierans learned that James Bay alone receives twice the amount of water that flows through the Great Lakes. That James Bay waters represented the obvious solution for the United States' growing water problems struck him as obvious. So he has designed his subsequent career around this premise.

The greatest element of technical uncertainty in the Kierans plan is the means whereby water would be pushed up hill from James Bay into the Great Lakes drainage system. "One possibility," say Gilles Marinier, a former James Bay Energy Corporation Vice-President who is now closely associated with the Grandco project through SNC Corporation of Montreal, **"would be to build nuclear stations along the canal."**

That Grandco may represent a front for the powerful nuclear energy lobby is suggested further in the company's promotional literature, where "Candu sources of energy" are mentioned specifically as an important part of the project. What would be the results of introducing nuclear technology on such an enormous scale into the especially fragile ecology of the Canadian North?

Once the water has been pumped from James Bay to the height of land around Amos Quebec, current plans stipulate that the resource will be channeled down the Ottawa River. From this course most of the water is to be diverted at the Mattawa River, and then through the historic trading route linking Lake Nipissing, the French River and Georgian Bay. The American portion of the plan calls for massive water diversions in Michigan and Illinois.

True to Canada's abysmal record of betrayal of Native people, they are not being included in any meaningful way in the process where their futures are being mapped out for them. For Indians in the James Bay watershed fishing and trapping continue as a viable way of life, an equilibrium which becomes more and more menaced by the lust of southerners for new sources of unpolluted waters. At least one protest, however, has already been put on record in this regard. The Canadian Alliance in Solidarity with the Native peoples wrote to U.S.A. Ambassador Thomas Niles on 25 September, 1985. In a letter which has been released to CBC Radio and the *Sudbury Star,* the Reagan administration was informed "that any deals on matters such as free trade, land leasing or water selling.... are subject to the enormous uncertainties which will continue until acceptable agreements are reached on Aboriginal lands questions". Such uncertainties exist, explained CASNP, because of the "unresolved relationship between Aboriginal and Crown land title in Canada."

The most immediately serious implication of the Reisman appointment, however, — given his well established ties with those entrepreneurs who are attempting to create a water selling industry — is the clear indication that the Mulroney Government has thus far not been squaring with the Canadian public about its preferred free trade negotiating strategy. The long range significance of the Grandco deal is so overwhelming as to dwarf the importance of the current "cultural sovereignty" debate. The plan calls for a commitment of monetary and human resources far greater even than Reagan's pet project, Star Wars. It would tie Canada into a North-South integration of economies which would make greater political integration virtually inevitable. **(That these things are not being told forthrightly to the electorate by a government still covered with the stench of rancid tuna, banking mismanagement and alleged election expense abuse, should cause us to wonder what other negotiations are secretly taking place on our behalf.)**

A lot of questions need to be answered. Will a complete study be done to assess the damages and changes to the whole watershed? What will happen to the plankton, and the many unique plants, fish, and mammals, and seabirds which inhabit the bay and especially the place where fresh water merges sea?

Are the orginial native inhabitants of the area being consulted for their feelings/their own plans/the future of their children? What will be the long range results of such a mega project? I keep smelling the U.S. Army Corps of Engineers. I keep seeing Kinzua Dam.

Who turned the Great Lakes into the Great Sewer? Shouldn't they be responsible, those chemical companies, steel mills, and thousands of other industries surrounding the Great Lakes? Why should James Bay supply the water to flush the great toilet?

Why supply water to the west? For more overpopulated cities, mining companies and mega/agribusiness? The skills of dry farming were around much longer than the U.S. and Canada, so-called. Ask the Hopi and other Pueblo people, as any traditional people and they will gladly try teaching the way of living in balance, in harmony with Mother Earth.

Let's not let these two governments decide our faith again. Let's get together and demand answers. Each and every one of us has to do whatever our skills let us to stop this Great Scheme.

Notes Editor

Big Mountain Update

Dear People,

May this year end the nightmare of relocation. We here at the Flagstaff office send our wishes for health, strength and happiness to you and your families throughout the coming year.

UPDATES:

WASHINGTON:

This mailing was delayed so that we could give you the most accurate picture possible of the passage of the appropriation.

On December 19th, 1985, Congress passed P.L. 99-190, a spending bill which provides $50 million to be spent on relocation by September 30, 1986. The Navajo Hopi Indian Relocation Committee (NHIRC) received its annual budget of $22.5 million. This includes $250,000 to begin a post-move counseling program which a House subcommittee and **Newsweek** noted as one of the failures of the NHIRC. Because of the criticism of the relocation commission in the past, Congress could not grant more funds for the NHIRC. Instead, the BIA was given $22 million to build homes, $3.2 million for roads, and money to supply water to the new homes. In addition, the Secretary of Interior was given broad powers to grant leases and enter into contracts for the "new land". The BIA money is exempt from safeguards provided by laws such as the Indian Self-Determination Act and the National Environmental Policy Act (which means no environmental or archaeological impact statements). To quote from P.L. 99-190, "the Secretary may carry out construction and lease approvals or executions under this provision without regard to the Commission's regulations and under such administrative procedures as the Secretary may adopt without regard to the rule making requirements of any law, executive order, or regulation."

Congressman Yates, at the last minute, added an amendment that said this money ($50 million) shall not be spent to evict any Navajos unless there is a designated home for them to be relocated to.

LEGAL UPDATE:

The two state court lawsuits involve the plight of families who were relocated to border towns and who lost their relocation homes to real estate and loan company ripoffs. These lawsuits have finally been scheduled for trial beginning April 1, 1986.

The lawsuits in the United States Claims Court, Washington, D.C., each seek one million dollars in damages from the United States of America for injuries suffered by families relocated into unsafe housing. These suits focus attention on the millions of tax dollars being spent only to destroy traditional Indian people. These actions are in the early stages of pretrial discovery. We expect to obtain thousands of pages of internal government documents concerning the relocation program which will be invaluable to our congressional lobby effort. No trial dates have been set yet in these cases.

Finally, BMLDOC is attempting to head off any confrontation in July by filing two major federal class action lawsuits this spring on behalf of those still resisting relocaton. The first will challenge any forced relocation as a violation of religious freedom under the First Amendment. The second lawsuit seeks to block any relocations to the New Lands until all the necessary health, educational and safety services are completed. The time and money necessary to complete such a project will prevent any relocation from occurring for seven to ten years.

535: The leadership of the Black Caucus has expressed support for repeal. A number of individual members of Congress have stated their support of repealing the law. And still others would support shutting down the commission until a thorough investigation has been completed. Please date your letters and send us copies. You will receive a far more detailed analysis soon of the 535 program and recent events in Congress.

Meeting of the elders, youth and staff of BMLDOC, Summer 1985 Photo: Cate Gilles

Roberta Blackgoat on pickup and Katherine Smith, Spring 1985. Photo: Steve Wake

Legal Defense/Offense Committee

Thomas Banyacya speaking at a meeting of Dineh, Hopi and BMLDOC staff at Hotevilla Kiva, Summer 1985 (with map of JUA behind).
Photo: Cate Gilles

Mae Tso - Dineh elder, mother of 8 children, resistance leader.
Photo: Cate Gilles

Kee Shay - Dineh elder and headman of Big Mountain.
Photo: Cate Gilles

Irene Yazzie - Dineh elder and medicine woman.
Photo: Cate Gilles

BIG MOUNTAIN ACTION LIST

To Support the legal work:
Big Mountain (J.U.A.)
Legal Defense/Offense Committee
2501 N. 4th St., STE 18-19
Flagstaff AZ 86001
Phone: (602) 774-5233

RELIGIOUS:

Marti Reed is a local UCC minister who has joined the Flagstaff office for the task of urging national and regional religious organizations to pass formal resolutions in favor of repeal of P.L. 93-531. We feel that a church community united against relocation will be heard and taken seriously in Washington. If you are in a position to help her move this kind of statement through appropriate channels or know of someone who might be able to help in this, please contact Marti at the Flagstaff office by phone or mail as soon as possible.

INTERNATIONAL:

Our international support is growing. Many people in Europe are writing letters, as well as signing petitions. In some countries groups of people visit their embassies, urging to investigate this matter and to repeal the relocation law. Other groups are planning on a solidary day for the JUA. We recently received about 1,000 signatures on petitions from Japan, which we forwarded to President Reagan with a stack of Dutch petitions. People from India have also expressed their solidary and support. If you have any international contacts you think would want to get more involved in this struggle, please send their addresses to the attention of the international coordinator.

SURVIVAL CAMP:

The camp needs gas money, equipment money and money for communications. We're working on a direct line of food supply to the camp from the warehouse and the Flagstaff community (primarily churches). The camp needs: warm quality clothing, winter gear, tents and sleeping bags. Food needs include meat, protein, soups, coffee, fruit. There are enough rice and beans for the moment.

SURVIVAL GATHERING:

This years survival gathering is scheduled for April 24th-27th, 1986. More details will follow.

LAST NOTES:

If we get a call from someone in your area we will refer them to your phone number (if you have one) unless you specifically request us not to release that information. At a recent meeting at camp, Larry Anderson stated that it is time for all of us to work harder now and for the next six months, than we ever have before. Time is running out.

Many people are calling and writing about the mobilization for this summer. Please continue to FOCUS on and prioritize repealing the law and generating awareness in your area of the evils of P.L. 93-531. The mobilization will only happen if we are not successful in what we are supposed to do, i.e., repeal the law. At a secondary level of priority make what ever plans and arrange whatever logistics you need to for this summer, but be aware that no one should do anything until we receive a "go ahead" from the elders.

Wishing you strength and success in our work,
BMLDOC

Donations of food, clothing, tools, etc. for the people:
BIG MOUNTAIN SURVIVAL CAMP
c/o Kee Shay
P.O. Box 203
Oraibi AZ 86039

For general information and to get involved:
Big Mountain Support Group
1412 Cypress St.
Berkeley, CA 94703
(415) 841-6500

Labrador:

Innu Campaign Against the Militarization of Ntesinan

Included herein is information for your files concerning the militarization of our homeland Ntesinan (Nitassinan) in the Quebec-Labrador peninsula. During the next year, we will be doing everything in our power, using peaceful means, to stop the military training activities on our land in particular the construction of an $800 million NATO Tactical Fighter Weapons Training Centre. If approved the NATO base will bring to our homeland air-to-air (dogfighting) and air-to-sea manoeuvres, expanded low-level flying, 3-4 bombing ranges, Instrumented Air Combat Manoeuvring Ranges, etc. The training activities would likely change from year-to-year as NATO training requirements are altered and as the technology employed in modern warfare changes. Who knows what kind of training will be permitted in our land once NATO gets its foot in the door?

Needless-to-say, we do not think that all these training activities, in addition to other incursions in our territory (e.g. dams, roads, mines, sports hunters and fishermen, etc.), are compatible with the survival of our hunting way of life. It will be impossible for the military to avoid Innu camps and hunting and gathering parties when the training activities reach their fully operational level. The net result of all this will be to force the Innu out of the country and into government built communities where alcohol abuse and a whole range of social pathologies resulting from culture collapse, alien domination, and a humiliating dependency on our colonizers are so prevalent. DND officials stated at a Military Awareness Meeting in Goose Bay in September 1985 that NATO will make a final decision about the base sometime late in 1986, but the timetable for the decision-making process involved here may be much shorter than we have been led to believe.

The position of the Innu people regarding military training activities in Ntesinan is that the Canadian government and its NATO allies must terminate all plans to build the NATO base in Goose Bay and to halt the existing low-level training activities. (Please see the Assembly of First Nations Resolutions contained herein). The reasons for adopting this position are as follows:

1) Present training activities are disturbing the wildlife and are making life miserable for our people who live in the country in regions where low-level flying is occurring. The loud and unexpected noise produced by these aircraft is dangerous to our health in particular that of the young and elderly. The NATO base would make life in the flying zones virtually uninhabitable due to:

(a) increased low-level flying,

(b) super-sonic low-level and higher altitude flying which would produce frequent sonic booms (and focus booms which in some parts of the southern U.S. smash windows and crack walls in houses),

(c) the presence of 3-4 bombing ranges with intensive flying activity occurring within a certain radius of each one (the first one will be built soon 12 miles south of Lac Minipi, just north of the Quebec-Labrador border),

(d) the possible use of toxic defoliants to maintain bombing ranges which would enter the food chain and contaminate fish and wildlife upon which the Innu depend for the subsistence (Grassy Narrows?),

(e) the presence of the flying zones of significant levels of electro-magnetic radiation generated by AWACS (Airborne Warning and Control Systems), jamming and counter-jamming equipment on low-level aircraft and ground stations (forming part of the Instrumented Air Combat Manoeuvring Ranges). The training zones would be flooded with electro-magnetic radiation especially when war games take place (electronic-warfare). We have reason to believe the electro-magnetic radiation at the levels emitted by AWACS, low-flying aircraft, etc. is dangerous to human health (wildlife?), but we are awaiting the arrival of additional information to confirm this.

(2) the Quebec-Labrador peninsula is one of the few remaining regions of the world still relatively free of the maiming 'Midas touch' of Euro-Canadian society. The NATO base will change all this and have a severe impact on the environment of the region.

(3) the training activities are taking place on Innu territory which has never been ceded to the Canadian state, and is therefore rightfully the property of the Innu people. Such training activities and various Euro-Canadian economic initiatives must not take place without the permission of the Innu.

(4) The kinds of training activities that are occurring at the moment and which will be expanded if the NATO base is built, are part of a NATO war strategy known as "Deep Strike' (Airland Battle is the U.S. version of the same strategy). This strategy is destabilizing and will lower the threshold for a nuclear war. Moreover, the expanded military presence in Goose Bay will make the Lake Melville area, where the Innu community of Sheshatshit is situated, a prime target for a nuclear attack. Obviously, the Innu of Sheshatshit do not want to be bombed into radioactive dust in the event of a nuclear war.

We should point out here that the three studies presently being done or proposed on the impact of the military in the region by the NFLD and federal governments, namely, a $300,000 caribou study, an impact assessment by the Federal Environmental Assessment Review Office, and a study of the health impact by the Canadian Public Health Association will not be complete until after NATO makes a final decision about whether to build the base in Goose Bay or Konya, Turkey. What good are they then?

Sincerely
Ben Michel

DECLARATION OF THE INNUT ON
THE DEMILITARIZATION OF NTESINAN

Date: May 31, 1985

We wish to make public our firm opposition to the use of our territory (Quebec-Labrador), of which a large part constitutes the migration grounds of the caribou, for military purposes, specifically the low-level flight training over our outpost camps. There are several reasons for this unconditional opposition:

1-The territory used for the low-level flying exercises has for hundred of years been our people's territory. Many families still live on this land for a major part of the year.

2-We are firmly convinced that these low-level flights have seriously affected the wildlife in our territory -the caribou herds, fur-bearing animals, fish and fowl. Certain consequences of the flights can be clearly identified:

-general disruption of the caribou's migration patterns,

-abandonment of the calving grounds of the caribou,

-severe reduction of live births of the wildlife,

-a significant decrease in the trapping income of our people residing in the territory.

3-The Innut and biologists have identified the negative effects of the flights on various species of animals - the geese, the beaver, the porcupine, the partridge, all the species which the Innut depend upon for their subsistence.

4-The Innu families, in particular the elders and the children, have been traumatized by repeated overflights on their camps. It is important to emphasize that Innu children learn the traditional hunting way of life from their parents while they are in the country. But for a number of years, it has been increasingly difficult for our children to learn this way of life because they are traumatized by the military jets. It is important to emphasize that the military knows the location of our camps, and yet they continue to fly over at low altitudes.

5-We, the Innu people, the legitimate rightful owners of this territory, have never ceded through any treaties, land claim agreements or consultation, our collective rights to self-determination and permanent sovereignty over the territory and its natural resources.

6-The collective rights of the Innut are guaranteed by international conventions which have been signed by Canada. The use of our territory for military low-level flight training against our will constitutes a flagrant violation of these conventions.

7-Innu hunters are unable to leave their camps as they once did for 2 or 3 weeks at a time to hunt and trap. They can no longer leave the elders, women and children behind at the main camps because of possible accidents and other problems which may arise when the planes fly over. Problems, for example, such as: children fleeing into the forest in fear of the flights, people in canoes panicking from the sudden noise and low attitude of the jets, etc..

8-We, the Innu people of Ntesinan, from St. Agustin, La Romaine, Natashquan, Mingan, Davis Inlet and Sheshatshit, unanimously oppose the use of our territory by the military and we will use any peaceful means at our disposal to put an end to the flights and their abuse of our people and our land.

RESOLUTION
Assembly of First Nations - October, 1985
SUBJECT: N.A.T.O. Military Low-Level Manoeuvers over the INNU Territory (Quebec and Labrador)

WHEREAS Canada has since 1980 signed agreements with the N.A.T.O. countries, authorizing them to conduct military manoeuvers at low altitude over the Innu Territory, by idenifying two large geographical zones of training, directly over the traditional territory of the Innu people; and,

WHEREAS Canada has nominated the Innu Territory as a site for proposed N.A.T.O. Tactical Fighter Weapons Training Center, where aircraft would not only train for low-level ground attack but also for air-to-air combat and air-to-sea combat; and,

WHEREAS the territory used for low-level training exercises has, for thousands of years, been the traditional Innu Territory and, today, the territory is fully occupied by the Innu families who live off the land and its natural resources; and,

WHEREAS the Innu have evidence that these low-level flights have already seriously affected the wildlife and certain disastrous consequences of those repeated flights have been idenified, namely,

-general disruption of the caribou's migration patterns

-abandonment of the calving grounds of the caribou

-severe reduction of live births of the wildlife

-a significant decrease in the trapping of the Innu people residing in the territory; and

WHEREAS the Innu families, in particular the elders and the children, have been traumatized by repreated flights over their camps and the Innu hunters are unable to leave their camps and can no longer leave behind the elders, the women and children at the main camps because of possible accidents and other problems which arise when the planes fly over, for example, children fleeing into the forest in fear of the flights, people in canoes panicking the sudden noise because of the low altitude of the jets, pregnant mothers under nervous shock that might affect the life of the unborn children; and

WHEREAS these military manoeuvers are destroying a whole people and their way of life and the land is becoming empty and dead like a desert; and,

WHEREAS the Innu people, the lawful owners of this territory, have never ceded, through any treaty or land claim agreement, their collective right to self-determination and permanent sovereignty over their territory and its natural resouces; and,

WHEREAS the Innu people are being arrested - and their materials are being seized - by Newfoundland Game Wardens for crossing an imaginary line which is the Quebec-Labrador border that bisects the Innu's traditional territory; and,

WHEREAS the collective land rights of indigneous people are recognized by international law; and,

WHEREAS the aboriginal rights of the aboriginal peoples of Canada, including their land title, are recognized and affirmed in the supreme law of Canada i.e. in S.35 of the Constitution Act 1982; and,

WHEREAS the Assembly of First Nations of Quebec has adopted at its last meeting in Kahnawake, a resolution condemning the military low-level training flights of the several N.A.T.O. countries over the Innu Territory of Quebec's Lower North Shore and Labrador; and

WHEREAS the Couseil Attikamek Montagnais has already started environmental, biological and sociological impact studies and is doing important work in defence of the Innu people in this issue

BE IT THEREFORE RESOLVED THAT the Confederacy of Nations declares its solidarity with the Innu First Nation regarding its rights and jurisdiction over its territory; and the rights of its citizens to practice their way of life in peace; and,

BE IT FURTHER RESOLVED THAT the use of the Innu Territory for military low-level flight training against the will of the Innu constitutes a flagrant violation of international law and of the Canadian Constitution; and,

BE IT ALSO RESOLVED THAT the Confederacy of Nations strongly objects to the harrassment of the Innu by Newfoundland Government officials and that the National Chief and members of the Confederacy pressure the Newfoundland and Canadian Governments to stop this harrassment; and,

BE IT FINALLY RESOLVED THAT the Executive Council including the National Chief do whatever is necessary and possible to have the Canadian Government cease the low-level flights and military manoeuvers and fulfill its duty to protect and respect the rights of the Innu Nation.

MOVED BY: Guy Bellefleur (La Romaine, Quebec)
SECONDED BY: John Bekale (Dene Nations, N.W.T.)
Edmonton, Alberta
October 31, 1985
c/o Naskapi Montagnais Innu Association
Sheshatshit,
Labrador, A0P 1M0

Child Abuse

Mireille Dumoulin
323 Hurteau
Dollard Des Ormeaux
Quebec, H9G 2L7
620-3657
TAS 843-5270

December 1, 1985

Dear Notes,

This letter is in regard to our telephone conversation of the previous week whereby you requested information on the Cameron Kerley case for your January issue. Enclosed is a copy of an article published in the *Winnipeg Free Press* that mentions the facts concerning the case, a support letter from CKRK-FM and a list of people you may wish to contact for further information.

As I mentioned during our conversation, Cameron's only remaining route is to obtain a pardon from the Governor of Kansas. One way of reversing this gross travesty of justice is requesting the people to write to the Governor of Kansas to demand Cameron's immediate release. Since the incident occured in Kansas, the Canadian government officials are doing what they know how to do best which is simply to ignore this Sioux Canadian child's sad story as they say it is "not their jurisdiction." Child abuse concens us all and this sad story cries out to be heard so that other children will not suffer this horrible fate.

I would like to take this opportunity to thank you for your interst and involvement with Cameron's tragic case as the publicity you will accord him in your newspaper will surely help to save his life.

Sincerely,
signed
Mireille N. Dumoulin

All requests for Cameron's freedom may be addressed to:

Mr. John Carlin	Cameron Kerley
Governor of Kansas	421308X B 8-3 Unit
c/o Ms. Lisa Mendosa	Stony Mountain
Office of the Governor	P.O. Box 4500
State House, 2nd Floor	Winnipeg, Manitoba
Topeka, Kansas	Canada R3C 3W8
66612	

(This is a letter sent to government officials by Mireille Dumoulin)

Dear Sir,

I am writing to you concerning Cameron Kerley. He is a twenty year old Ojibwan boy originially from the Sioux Valley Reservation in Southern Manitoba. I would appreciate if you could extend me a few minutes of your time to read his story as CHILD ABUSE concerns us all.

As I mentioned earlier, Cameron resided on the Sioux Reservation. At eight years of age he watched his father being murdered, his mother passed away shortly afterwards. This left Cameron at the mercy of our social services. At the age of eleven, Cameron was sent to Wichita Kansas where he was adopted by a non-native single person by the name of DICK KERLEY. From that day on Mr. Kerley abused Cameron sexually, physically and emotionally. Cameron told his School Counselor of the torture he was undergoing. Nothing was done and furthermore the adoption was legalized when Cameron was thirteen years of age.

Cameron in self defense, killed Mr. Kerley and subsequently received a life sentence in Kansas, yet he never had a trial and he never took the stand. He was eventually transfered to Stony Mountain Penitentiary in Manitoba where he is serving his sentence. In total outrage many letters have been sent to Canadian Governmental officials yet the answer is always the same, 'it is not our jurisdiction'. This statement, is, in itself, totally ridiculous as Cameron is a Native Canadian child and pressure from our government officials would surely help the Governor of Kansas to grant this abused child his freedom as he is innocent.

It seems that the government at hand really enjoys ignoring native issues and rights. However this is not merely "just another native issue". Child abuse concerns everyone and as the head of a group of concerned Montreal citizens, native and non-native, we can no longer keep silent. You, as our government official must do your utmost to have Cameron freed as this is the will of the people.

I cannot understand that I have to repeatedly bring this matter to your attention. If your child had been molested and abused, night after night after night, for six years would he not have been granted a pardon long ago?

If you cannot find it in your heart to help Cameron out of pure love and sympathy than do it for the people who work so hard to pay your salary.

Sincerely,
signed
Mireille duMoulin

CKRK-FM
103 FM
Mohawk Radio
P.O. Box 1035
Kahnawake, Quebec J0l 1B0
(514) 638-1313

November 20, 1986

We, the staff and management of CKRK-FM, of the Mohawk Territory of Kahnawake, Quebec, hereby declare our full support of Mireille Dumoulin, and all others who are seeking swift and morally responsible justice, in the legal case of Cameron Kerley.

There is absolutely no justification for the manner in which the entire matter has thus far been dealt with.

Native or non-Native, Canadian or American, literally anyone, has basic human and legal rights, which for reasons known only to the legal system, have not merely been denied, but in this case, totally ignored.

We cannot stand idly by without being moved to vehemently voice our shock and dismay at the situation, and, more importantly, calling for JUSTICE.

signed
Joseph Delaronde
Station Manager, CKRK-FM

Akwesasne Notes urges everyone to write to the officials listed to demand immediate action. Let's join together and help Cameron.

American Indian Law Center, 1117 Stanford NE, POB 4456-Station A, Albuquerque NM 87196. Vol 18/ 6, Nov-Dec 85 Newsletter. 2 major Law Center projects ended last year and are reported here: A Look at the Evolution of Tribal Child Welfare Codes; State & Tribal Policy & Procedures in Response to Federal Child Welfare Legislation.

Man Travels Canada to Protest Teen Suicide.

Vern Dillabaugh has been travelling across Canada in a beatup Fiat with Erna Schapansky and attempting to get anyone to hear him. It's hard listening, but he has some points to get across. It seems he has taken things personal and is taking on the what he calls Native Indian Wardship Genocide, and it's relationship to Native Adolescent Suicide rates. Dillabaugh lost 3 children in a custody battle and seems to have done some homework on the issue, but his personal fury turns off most media and especially the legislators who have created such Wardship laws. ESPECIALLY one certain SECTION 200 of the criminal code that makes it an offense to abuse children, yet laws that separate families and turn Native children over for adoption are made by legislators, yet they never have to suffer the consequences of these laws, only the children and their families. Interesting.

Box 3054 Mission B.C. V2V 4J3 (604)826-1841/6450.

Indian/Libya Connection Story a Hoax

CORNWALL, ONT. (IPN) — At least a portion of the fragile case built by ABC Nightly News on some sort of sinister American Indian-Libya connection has been discredited this past weekend. A Canadian Indian who was arrested after authorities received a tip a bomb may be planted on a United States-bound jet has admitted it was a hoax, the NY Times reported Jan. 25.

The ABC Nightly News reported on the story twice last week. UPI wire stories pointed to allegations Canadian police were focusing their investigations on an alleged trip by AIM leaders to Libya last August. Nationally-televised U.S. talk shows have hosted former White Earth Reservation treasurer Vernon Bellecourt confirming travel to Libya and claiming American Indian rights to direct relations with other countries.

Russell Means Group Under Attack In Nicaragua

by Jose Barreiro (Special to IPN)

Washington DC (IPN)—There is increasing confirmation three North American Indian leaders and their Miskito guards continue to be pursued by contingents of Sandinista Army troops in the jungle savanna south of (Puerto Cabezas). Four MISURASATA warriors defending the North American contingent have been killed and one commander gravely wounded, according to a Miskito spokesman.

The group of North Americans, who include Hank Adams, an Indian activist and congressional researcher, Indian activist Russell Means and Clem Chartier, president of World Council of Indigenous Peoples, have been on a fact-finding tour sponsored by MISURASATA, an Indian political organization. They entered the Miskito Coast through Costa Rica, accompanied by Brooklyn Rivera, MISURASATA general coordinator. Bob Martin, a free-lance journalist and former reporter for ABC affiliate KOAT-TV, Albuquerque NM, is also along.

After some ten days visiting villages, the tour group was attacked by Sandinista troops. Various Indian commanders brought in Indian warriors to protect the MISURASATA leadership and guests.

"There was a heavy clash around January 26, 27," said Armstrong Wiggins, a Miskito human rights specialist in Washington. Wiggins reported the Sandinista Army has killed two civilians with rocket fire from small "push-pull" planes. "This is in deep Indian country," he said. "They have caused many casualities but the reports say they (Army troops) are getting up chewed up pretty good, too."

Delano Martin, a MISURASATA spokesman in San Jose, Costa Rica, confirmed the reports of military clashes and bombing runs against a village called Layasiksa. Martin claimed the Army used Soviet-supplied Mi-8 helicopters in the strafing runs.

A military spokeswoman in Managua denied the bombing reports. A report in the Los Angeles Times quotes Sandinista Commander Tomas Borge on a bombing occuring in an FDN operating zone in Zelaya province.

One of the North Americans, AIM leader Russell Means, was reportedly wounded slightly by mortar fire. A radio message relayed to the Washington-based Indian Law Resource Center, a private Indian human rights group, contained this quote by Means:

"Tell them we ask for no concessions from the Nicaraguan Army. We ask no quarter, only that they stop bombing Indian villages, the sons of b.....s."

Means, a leader of the confrontation at Wounded Knee, South Dakota in 1973, has become increasingly involved in the conflict embroiling the Indian nations of the Nicaraguan Atlantic Coast.

A number of North American Indian organizations have called on the Nicaraguan government to guarantee safe passage to the delegation. According to Miskito sources, the Nicaraguan armed forces have sealed a large area of the mid-coastal region in order to throw a "cordon" around the travelling group. The new bombings are reportedly the first in the year since Brooklyn Rivera first began peace negotiations with the Sandinista government.

Nicaraguan Embassy spokesmen pointed to Russell Means' remarks at a press conference in San Jose Nov. 10, where he called for North American warriors to join him on behalf of the Miskito resistance. Means was widely quoted by the press and appeared on national television talk shows prior to leaving for Nicaragua.

MISURASATA leader Brooklyn Rivera invited Means and the other North Americans to "see for yourself whether the Indian people believe in MISURASATA or not," according to a spokesman. Rivera, one of the Indian major resistance leaders and reportedly the most popular among the Atlantic coast population, has been purposefully ignored by Managua in recent months. According to reports, the touring group was well received, "fed and feasted," prior to the army attacks. During the government-authorized tour by Rivera and international Indian leaders in late 1984, crowds of more than 2,000 Miskitos, Sumu and Rama Indians came out to listen to Rivera.

"The army will stir up the Atlantic Coast resistance for sure," if it continues to attack, according to Wiggins.

(IPN: Indigenous Peoples Network, POB 71, Highland Park MD 20777.)

Aboriginal Hunting and Trapping

The Right to SURVIVE

THE INTERNATIONAL AND DOMESTIC CONTEXT OF ABORIGINAL HUNTING AND TRAPPING

Native Council of Canada
Louis "Smokey" Bruyere
President

IN SUPPORT OF ABORIGINAL TRAPPERS AND HUNTERS OF THE WORLD

Convention on International Trade in Endangered Species
Buenos Aires, Argentina
April 23-May 3, 1986

BACKGROUND

In recent years, pressure has been mounting in the world community to ban the use of leg-hold traps in the international fur industry. World fur markets are in danger of collapse should a boycott be placed on wild-trapped furs. The boycott on seal pelts staged by the European Economic Community (EEC) in 1982 is a clear reminder that movements addressing humanitarian concerns for animals can exact a major and often unintended price on equally legitimate humanitarian movements in support of the rights and survival of indigenous peoples.

If national and international fur markets succumb to the threat, the Aborignial fur industry will tumble, as will other Aboriginal harvesting activities dependent in part on income derived from the fur industry. Aboriginal people in Canada and other countries in the northern hemisphere who have invested heavily in the leg-hold technology are more susceptible to market or politically directed changes than any other peoples. They are faced with an imminent threat to their survival if the international community is not sensitive to their unique rights and their need for assistance and tolerance in the transistion between harvesting technologies.

The Botswana CITES meeting dwelled at considerable length on issues directly relevant to the aboriginal harvest. Witness the proposal from some to ban trade on all fur-bearers taken with the leg-hold trap. This year's conference is again addressing the issue, and without a sensitive and well-informed appreciation for aboriginal interests, the consequences could go well beyond resolutions.

The results could speak directly to our capacity to survive as peoples. Ironically, the result could also be to silence and undermine the very peoples most actively and traditionally concerned with humane and balanced harvesting activities, people with not generations but millenia of experience in husbanding the earth's natural renewable resources for the benefit of not only the human economy but the humanity's spiritual integration with all other life on this planet.

International, Constitutional, and Domestic Legal Considerations

The international community seems often to disregard the special rights under international and domestic law that Aboriginal peoples have with respect to their traditional homelands.

It is particularly ironic that many of those involved in forming today's international legal order should treat the rights and interests of Aboriginal peoples so lightly. They forget perhaps that modern international law was itself born of the need to regulate relations between Europeans and the Aboriginal peoples of the New World almost exactly five hundred years ago.

It would be tragic indeed if, in the last 20th century, as in the last 15th, the force of Euro-centric norms should once again emerge to threaten the very survival of the Aborigninal peoples of this continent. Over the past several decades much progress has been made to ensure that international law is not the priviledged domain and moral extension of the First World alone, but that it should encompass and reflect the diversity of all peoples, in the First, the Second and the Third Worlds. Is it too much to ask that the same respect be accorded the World's Indigenous peoples, the peoples of the "Fourth World"?

Participants are asked to note the following International conventions:

- International Covenant on Civil and Political Rights
- International Covenant on Economic, Social and Cultural Rights
- Convention on the Prevention and Punishment of the Crime of Genocide
- International Convention on the Elimination of all Forms of Racial Discrimination

Each of these instruments contain provisions or have established processes which have in turn called for provisions to protect the social, cultural, and economic bases of Indigenous community survival. At the moment, there is a United Nations Working Group on Indigenous Populations (Under the auspices of the Human Rights Commission's Sub-Commission of Prevention of Discriminiation and Protection of Minorities which is drafting an international convention on the rights of indigenous peoples.

In considering any measures that would directly or indirectly undermine the rights or integrity of Aboriginal peoples, CITES participants must respect the minimal protections afforded us already extant or emerging within international law.

In countries such as Canada and the United States, Aboriginal Peoples have signed historic and modern treaties with host states that are of constitutional, if not international status. In addition, there are rights that flow from prior use and occupancy of lands and resources that, as in Canada's case, have been constitutionally recognized and guaranteed. Finally, there are in many countries elaborate legislative regimes for the protection of indigenous interests.

It is of the upmost importance that these treaty, constitutional, and other legal regimes not be subverted by measures taken to restrict the trade of fur-bearers or to enforce new technologies for game harvesting by Aboriginal hunters and trappers.

The Aboriginal Fur Economy in Canada

Participants at this CITES conference should be fully aware of the nutritional, social, and cultural interdependence that Indigenous peoples have with the traditional harvesting economy. This simple fact speaks directly to the need for any regime involving either trade limitations or new trapping technologies to respect and accommodate this unique interdependence.

The Canadian Fur Industry, the third largest in the world, provides a case study of the impact that one-sided or ill-informed humanitarianism can render on Aboriginal peoples, their cultures and their economies. The over one million Indian, Inuit and Metis people in Canada will be the hardest hit if the fur trade suffers a set-back owing to any international initiative, for example under the auspices of CITES, to penalize producers using the leg-hold trap which does not at the same time respect and further the protection of the delicate interdependence of Aboriginal peoples with their renewable resources economies and those harvesting technologies now in widespread use.

- The majority of Trappers in Canada are Aboriginal, with some 60,000 Aboriginal People directly involved and several hundred thousand more dependent on the products and income derived from the industry.
- Fur trapping is a mainstay for hundreds of aboriginal communities in Canada's mid-north and northern regions, just as sealing and whaling continue to be integral to the Inuit economy in the Arctic.
- The grim reality for most aboriginal communities is that trapping, sealing, and whaling are often the only substitution for welfare or low-paying and culturally subversive wage-income employment.
- Unemployment in most aboriginal communities ranges between 70-90% outside of the hunting and trapping seasons.
- Consumption of game animals is an integral component of preventative medicine for aboriginal communities. Yet without the case income from the fur harvest, aboriginal peoples must turn increasingly away from the land and its sustenance to the poverty, isolation, and ill-health of the urban wage-economy.

Since time immemorial our peoples have integrated the use of flora and fauna into their traditional way of life. The death of an animal to provide food, clothing and tools is not treated lightly or with disrespect. In fact the traditional beliefs of all Aboriginal peoples look upon the death of an animal with the greatest respect as it makes possible our sustenance. In our traditional teachings the people are taught never to waste the life of an animal since all beings brought to life by the Creator have a purpose.

The nutritional significance of game animals to Aboriginal peoples is often overlooked. Most harvested game have twice the protein and iron value of commercially sold domestic meats and yet only a faction of the fat content. Major health problems such as dental caries, obesity, gallbladder disease and anemia have been linked to the shift from traditional food sources to non-traditional high-carbohydrate, low-protein diet.

The arrival of Europeans to our lands introduced a number of new lifestyles which have gradually, over time, involved our people in harvesting wild animals for a much broader market. Our traditional beliefs, however, have not significantly changed even though new harvesting methods and demands have since emerged.

Most of our trapping activity takes place in remote regions of the country where access and travel are next to impossible and often treacherous. In spite of the dangers, our trappers continue their activities in earnest, and with a skill honed by millinea of practice.

The Aboriginal trapper's ability to make fur trapping a viable way of life is attributable in large measure to the extensive use of the leg-hold trap. This device, ranging in size and weight, has been the most practical means of trapping wild fur-bearers. The common practice is to carry several of these traps, slung over the shoulder, on foot, up a trap-line several miles long. In fact, some trap-lines may connect with others to extend over a hundred miles in length. Usually it takes several days to place these traps. The relative ease with which these traps are transported and the speed with which they can be placed are key factors for their extensive use.

There are, of course, alternative trapping devices which may provide a greater efficiency in killing or holding fur-bearers with a minimum of suffering. One such quick-killing device, the Conibear trap, has grown in use specifically because it is as portable as most traditional leg-holds and because aboriginal trappers have been allowed the time to replace their investment in traps gradually. However, it is widely recognized that as of yet there is no readily available, economical, or proven alternative to the repetoire of leg-hold traps now in use.

What is particularly troubling to Aboriginal trappers is that so little attention has been given to the tremendous costs to the Aboriginal community of any wholesale and unsupported movement from one trapping technology to another. We note that there has been little discussion of the fact that aboriginal communities, at the margins of economic survival, simply cannot absorb what some insist on casting as a mere "retooling" problem.

Humane Trapping and Aboriginal Survival: Options for Accommodation

It is necessary to elaborate a new approach to these issues, an approach that merges the undoubted need for new technologies for humane trapping and control of the wanton and illicit trade in endangered species with the "Aboriginal" philosophy of harvesting. As Canada has come to realize, such an integration can only really be implemented effectively with full participation of Aboriginal peoples in the management of the world's "original" economy.

Participants are requested to consider the following as guiding principles in the resolution of the "humane trapping" issue:

- any control regime must be fexible, not rigidly universal, to respect the tremendous social, cultural, and ecological variability of Aboriginal harvesting.
- Any control regime must promote and support transitional measures so as to avoid disruptions to the delicate social and cultural fabric of Aboriginal communities.
- "Co-implementation" and joint management of the resources with Aborignal peoples should be a basic requirement in the national implementation of any control regime.
- The existing and emergent international and domestic rights of Aboriginal peoples must be upheld and advanced.
- CITES should resolve to refer the consideration of the impact of current and possible future actions taken with respect to fur-bearers, humane trapping, sealing and whaling which directly affect Indigenous peoples, to the Working Group on Indigenous Populations of the United Nations Human Rights Commission's Sub-Commission on Prevention of Discrimination and Protection of Minorities, which should be asked to investigate, in consultation with the World Council of Indigenous Peoples, the Inuit Circumpolar Conference, and other Indigenous NGOs, and report on measures required to safeguard the unique rights and needs of indigenous peoples.

INDIGENOUS WOMEN DENOUNCE GREENPEACE:

Plans for "Fur-Free Europe"

Call for the International Protection of Indigenous Rights

In Europe Greenpeace International and other animal rights groups are launching a "Fur-Free Europe" campaign to destroy the market for fur in the same way as they destroyed the market for seal skins.

The indigenous women of Canada oppose this action by the animal rights groups and call on Greenpeace and the other organizations involved to halt this attack on our children, our culture and our future.

On the seal issue, these groups claimed that they were not trying to hurt us - but they did. We are telling them now that this anti-fur campaign will hurt us. Are they going to tell us that they don't care?

We support the humane activities of Greenpeace such as their protest against nuclear activities and their efforts to save the environment from harmful pollution. However we oppose their efforts and those of other animal rights groups to ban fur around the world because we believe that Inuit and other indigenous people have the right to harvest the renewable resources that are available to them.

In our particular part of the world, it is not possible to harvest or farm on the land due to the climatic conditions and short summer periods. Inuit and other indigenous people have harvested wildlife and fur-bearing animals for thousands of years because wildlife is the only renewable resource available to us to harvest.

If this was not so, Inuit and other indigenous people would not strongly believe in environmental protection and practical conservation of wildlife, as they do.

Even now, we cannot hope to see a horrible and sensational media campaign about the fact that some groups of Inuit have a suicide rate 12 times the Canadian national average but Greenpeace can generate such a campaign about the trapping and harvesting of animals.

We know that this Greenpeace media abuse has been directed towards the hearts of the general public and therefore has touched their emotions, but none of this seems to have touched people's heads and minds to cause them to figure out what kind of an impact their protests have had on our people.

Inuit do not understand why the general public would consider the spilling of human blood acceptable for entertainment in movies and on television, which Inuit find abhorrent; but protest the spilling of animal blood for the purpose of human survival.

The Greenpeace protests aimed at stopping the kiling of seal pups in the St. Lawrence, but resulted in an impact on all sales of seal skins. This has caused tremendous hardship to Canadian Inuit.

For the information of those who support the efforts of Greenpeace and other animal rights groups to ban the fur trade, but who never co-existed with wildlife (because they may have lived all of their lives in the concrete world of cities — devoid of any animal life), it is important for them to realize that fur bearing animals are renewable and don't necessarily become endangered unless they are overhunted or the environment is damaged to the point of killing the wildlife.

We are very strongly concerned about the economic impact that groups such as Greenpeace are having on our people and about the inhumane and unnecessary feeling of uncertainty that they are creating in us with respect to the future of our children. This is rapidly becoming more of an immediate concern to us than the concern for a hypothetical nuclear war.

We appeal to the general public to allow their heads and minds to be touched as strongly as their hearts and emotions might be touched over the issue of harvesting the only renewable resources that are available to us.

This is not the first threat that indigenous people have faced: the survival of indigenous peoples around the world has been threatened many times and many ways. We have fought and will continue to fight for our rights and our chidlren's rights to survive as the people we are.

We travelled to Nairobi to participate in the World Conference to Review and Appraise the Achievements of the **United Nations Decade for Women: Equality, Development and Peace** in July of this year to draw the attention of the world to the concerns of indigenous women and their families, including their rights to their lands and resources. We succeeded in so far as the nations came to some concensus on a resolution on the rights of indigenous women and their families, and the United Nations will deal with the Conference Report and this resolution later this month in New York.

We also participated in the Working Group on Indigenous Populations held in Geneva under the auspices of the United Nations Human Rights Commission where we again presented our concerns about the assault being made on our rights and on our children's future by those who are taking away our livelihood.

It is time that the animal rights groups like Greenpeace realized that apologies, like "tears", "are not enough". What they are taking from us is the life of our children. We will not be silent while they do it.

CONTACT:
Marlyn Kane, President
Native Women's Association of Canada
151 Bay St., Suite 806
Ottawa, Ontario K2P 7T2
236-6057

Rhoda Innuksuk
President
Inuit Tapirisat of Canada
238-8181

Jeela Moss-Davies
President
Innuit Women's Association
238-3977

Notes called Greenpeace, Chicago a month ago for statement. They promised, but nothing as yet.

THE ABORIGINAL TRAPPERS FEDERATION OF CANADA

Indian, Inuit & Metis People "OUR RIGHT TO SURVIVE"

The Brown Peace Movement

Recent years have seen the intensification of the effort of certain groups of "conservationalists" to discontinue both the harvesting and marketing of wild animal pelts and other products. These efforts have developed to an international level and have had some success, most notably the banning by the European Parliament on the importation of seal pelts.

The Aboriginal Trappers Federation of Canada believes that these developments present a serious threat to the economic, cultural and spiritual wellbeing of native people and communities.

There is great potential for the termination of the fur and related harvesting pursuits. The impact on native people would be destructive because traditional harvesting is important to the native economy in most, if not all provinces and territories.

This land is home and the harvestable resources have always been part of an intricate bond between native people and other elements of existance. Our value system is such that we do not seek to subdue the earth, but to live within the harmony of the great circle of life in which life leads to death which, in turn, creates and sustains life. The appearance of the newcomers opened-up new possibilities in rendering this living "one and of the land" easier in that the bounty we gathered could be traded for new and more durable tools. Yet, it is possible to maintain a connection with those cultural and spiritual roots which see birds and plants and animals as brothers and sisters; each an element within the great circle of life. It was even possible by these gathering pursuits, to contribute to the wealth of the new nation that was emerging even after the development had reached the stages of enterprise of which the native people knew little, having emerged from a culture and way of life with wholly different imperatives of their own. It is in this that whatever remains of the possibility of cultural survival and economic independence largely rests.

Now, once again, the evolving sensibility of the now dominant society is denouncing our values and the morality of the harvest. Whatever the merits of those moral arguments are with regard to the internal consistencies of the world view and attendant culture from which they arise, the fact remains that there exists another world view that we regard as equally valuable and that must survive if we are to survive. We can no longer accept the arbitrary definitions of what is right and wrong by people and movements who have historically and continually denied any value to our ways! As in so many aspects of our existence we are now engaged in a struggle with people and ways. The preservation of our right to engage in these economic pursuits reaffirms, for us, our place in the circle of life. We are engaged in the struggle for the right to survive.

We need support from as many people as possible, so that we may plan an education campaign in Canada, The United States, Europe and, possibly, Japan. The educational campaign material will consist of pamphlets, books, slide presentations, movie productions that are currently available and other displays for the various functions.

Simply, we wish to tell our side of the story!

Please direct all inquiries to:
Aboriginal Trappers Federation of Canada
450 Rideau Street, 4th Floor
Ottawa, Ontario K1N 5Z4
(613) 238-3511
Attention: Bob Stevenson, Executive Director

Dear Indian and Inuit friends,

Who am I to take the right to write to you about your affairs, and give you my opinion about trapping and hunting.

First of all I see these matters as your own case. I have no right to judge your way of living.

I have learned a lot about your view on how to use the land, the water, the air, the animals and the plants. I thought it is better to give you my opinion. Perhaps you can use it, think about it, discuss it, and correct my opinion. You would do me a great favour if you want to take time to read this letter.

I thank you very much.

First I shall introduce myself. My name is Govert de Groot, I am 32 years old. I was born, grew up, and still live in one of the highest populated countries in Europe, The Netherlands, the land which was mainly made out of the water, in the province called South Holland, in the governmental city The Hague. I am one of the indigenous people of Holland. My family lived here for centuries. While growing up I saw that the landscape around me was changing, the meadows with flowers, birds, insects and animals became industrial areas with highways and houses. I have my own language, but I use English as well, like you, which enables me to communicate with you. I can not express myself very clearly in it. I do better in my native tongue, Dutch, but even then it is difficult to describe my thoughts. I hope you will excuse me when I do not express myself clear enough.

I did not finish my studies, one reason was that I was too much involved in trying to protect the "nature" around The Hague. I know that I was sometimes really narrow-minded, and perhaps I still am. As a young boy I was already fascinated by nature with a special interest in all kinds of animals in the seas and oceans. In 1970, the United Nations Year of the Nature Conservation, I organized an exhibition at school about the treat of nature, plants and animals:

"No Nature, No Man! Is that your wish?" After that, I started to organize walks with people in "nature", and tell them about the plants, the animals and the birds and how they are related to each other. In The Netherlands we do not have real nature anymore, our "nature" is the result of cultivating the landscape for more than 4000 years.

In 1978 Greenpeace The Netherlands (GPNL) was founded and in spring of 1979 I joined this organization, and started to tell the people about the treat of the seas and the oceans.

In 1978 for the first time I also visited the south of the Greenland, where I met with Inuit of Greenland for the first time. Later I had the possibility to visit Greenland again two times; in the winter of 1980 the westcoast and in 1981 summercamp "Aasivik."

In 1980 I started to work parttime at the insurance company for whom I was working and got involved, voluntary, in the organization of the Fourth Russell Tribunal on the rights of the Indians of North-, Middle- and South America, with the support of GPNL. My task was to contact observers from the Indigenous nations outside the Americas and the Inuit in North America. There where representatives of the Aborigines (Australia), the Maori (New Zealand), the Polynesians (Tahiti), the Kurds (Turkey and Iran) and the Inuit of Greenland.

Some of you I have met or written during this Tribunal. In 1981 I visited the meeting of the Commission on Human Rights , the subcommission on Prevention of Discrimination and Protection of Minorities, Working-group on Indigenous Populations of the United Nations in Geneva. I was involved in founding the Dutch "Workgroup of Indigenous Peoples" (WIP), previously called the "Workgroup Indian Project", the organizing committee of the Tribunal.

After the Tribunal I quit my job and got employed by GPNL in Amsterdam. The main goal of GPNL was and is to stop the dumping of nuclear waste into the Atlantic ocean. Beside that Greenpeace is opposing tests of nuclear weapons, the dumping of chemical waste, the commercial sealing and whaling and now against acid rain as well. Further on GP is involved in the protection of Antarctica. Greenpeace is not an animal welfare-group but an international environmental actiongroup.

Continued on page 28

EVERYTHING AS IT MOVES, NOW AND THEN, HERE and there, makes stops. The bird as it flies stops in one place to make its nest, and in another to rest in its flight. A man when he goes forth stops when he wills. So the god has stopped. The sun, which is so bright and beautiful, is one place where he has stopped. The moon, the stars, the winds, he has been with. The trees, the animals, are all where he has stopped, and the Indian thinks of these places and sends his prayers there to reach the place where the god has stopped and win help and a blessing.

— Dakota wiseman, 1890

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(Quote is taken from the book TOUCH THE EARTH, by T.C. McLuhan).

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November 21, 1985

Dear Friends,

Latin America is also Indian America. Nowhere is that more evident than in Guatemala, a country where there are some four million Mayans, mostly poor peasant farmers who live in the highlands.

In Guatemala the Indian population is the majority population, yet the non-Indian minority, the Ladinos, have dominion. Ever since the Spanish conquest, the Indian nations of Guatemala have had no more than a token voice in their own government. Historically the Indians have been slaves and vassals in their own country. In recent years they have been subjected to the most brutal repression by a series of right-wing Guatemalan military leaders who have used all available means — including genocidal slaughter of entire communities — to control them. Adding further injury and suffering, leftist guerrilla forces badly abused them and killed many who would not go along with their program. They wanted the Indians to be the footsoldiers of their war.

In the words of some of the Indian leaders, the Indian people of Guatemala have been "caught between two fires."

The guerrillas were routed in the highlands and the Indian highlands were "pacified" by the Guatemalan army in the last few years. Having first been terrorized, the Indian people are now subjected to a system of military control which reaches every aspect of their lives. Some Indians continue to be "disappeared" for opposing government policies. Hundreds of thousands of Indian men are controlled and regimented through universal conscription into military patrol units which the government has established in almost every Indian village. Many thousands are in relocation and re-education camps called "model villages". Tens of thousands are still refugees in Mexico and the United States where they sought asylum during the worst of the violence in the early 1980's.

Ongoing Guatemalan elections give some hope that a new civilian government will grant relief to the Indian peoples, but it remains an open question whether real governmental power will be surrendered by the military to the elected officials.

Heartened by this "pacification", the Reagan Administration is pushing Congress for expanded aid to Guatemala, particularly military aid. Moreover, at this very time the Reagan Administration is asking the United States Courts to deny political asylum and to deport those Mayan refugees from Guatemala who have found a measure of temporary security in the United States.

In the midst of this tragedy, some human rights organizations have tried to provide the public with honest reports about the violations of human rights which the Indian and non-Indian peoples of Guatemala have been suffering. The OAS Inter-American Commission on Human Rights is one of the most respected of these human rights organizations. We urge you to read the Commission's latest report on Guatemala which appears in the Commission's Annual Report for 1984-1985.

We need to be informed because the Mayan peoples of Guatemala need our assistance and support.

Sincerely,
Robert T. Coulter
Executive Director
INDIAN LAW RESOURCE CENTER
601 E Street, Southeast
Washington, D.C. 20003
(202) 547-2800

Human Rights in Guatemala:

Annual Report of the Inter-American Commission on Human Rights of the Organization of American States 1984-1985

Part One

GUATEMALA

The Inter-American Commission on Human Rights decided at its 65th session to include in its annual report to the General Assembly of the Organization of American States a special chapter on the status of human rights in Guatemala. This chapter, which is based particularly on the on-site observation mission in May to that country, updates the Commission's previous reports on Guatemala, without prejudice to the preparation of a special report that will be sent to the Guatemalan Government for comment. to that end, a communicaton was sent on July 11, 1985, to the Guatemalan Government, requesting that it send promptly any supplementary or additional reports it felt should be included in this report. Unfortunately, the Commission has received no reply to that note.

The Commission has continued to follow carefully the development of the human rights situation in Guatemala for several years, because of the widespread violence that has been occurring in that country and the many and repeated complaints about human rights violations received by the Commission, which have been attributed to the authority and responsibility of the Guatemalan Government's agents themselves. To that end, the Commission has published two special reports on the status of human rights in Guatemala. The first (OEA/Ser.L/VII.53 doc.21, rev.2), approved by the Commission on October 13, 1981, covers the status of human rights in Guatemala up to that date, and the second (OEA/Ser.L.II.61 doc.47), approved by the Commission on October 5, 1983, covers the status of human rights since March 23, 1982, when the coup occurred that made General Efrain Rios Montt President.

After publication of the second special IACHR report on the situation of human rights in Guatemala, which, as indicated, covers the period from March 23, 1982, to August 8, 1983, when General Rios Montt was deposed and General Oscar Humberto Mejia Victores took command of the government as Chief of State, the Commission submitted in late 1984, in its General Report to the General Assembly of the OAS on the situation of human rights in a number of countries, a report on the events that occurred on this field from September 1983 to September 1984 under the administration of the present Guatemalan Government.

At its sixty-third session (September 27 to October 5, 1984), in which the IACHR approved the presentation of its 1983-1984 annual report to the General Assembly, it also decided to request the approval of the Guatemalen Government for a new on-site visit to that country, taking into consideration the following facts — among others: the renewed outbreak of violence in urban areas and the reappearance of the death squads; the continuous kidnappings, murders and disappearnaces of persons; the lack of information about the status of persons tried by the Special Courts, who had not been sentenced and therefore did not come under the amnesty law decreed by the Guatemalan Government; the ineffectiveness of **habeas corpus** remedies; and continual complaints about harassment of most of the Indian population in rural areas who are also now forced to establish residence outside their places of origin in the so-called model towns or development polls (Polos de Desarrollo) and who are forced to become an integral and active part of the Civil Defense Patrols to defend those towns and fight against subversion.

In response to the Commission's note sent October 3, 1984, and dated October 5, the Government of Guatemala invited the IACHR to make an on-site visit to Guatemala to determine reliably, according to the terms of the note, the progress being made in the human rights field by the administration of General Oscar Humberto Mejia Victores.

At the end of that visit, which took place May 6-10, 1985, the Special Commission, composed of Cesar Sepulveda, Chairman; and members, Drs. Andres Aguilar, Marco Gerardo Monroy Cabra and Mr. Bruce McColm, submitted to the Chief of State, General Oscar Humberto Mejia Victores, in the final interview with him at the Government House on Friday, May 10, a confidential document containing the preliminary recommendations made by the Commission as a result of its on-site visit.

In addition, the Special Commission had the opportunity during that interview to comment to the Chief of State on some of the points in the preliminary recommendations, and stressed its concern at the status of missing persons in Guatemala, and the need to designate a magistrate at the highest level to investigate the many acts of kidnapping and disappearances and to punish those responsible. The Special Commission also stressed its concern at the status of the Mutual Support Group and requested that special and priority attention and protection be accorded its members.

Since the IACHR will issue a special report on the status of human rights in Guatemala, this report will refer only to the most important problems that have occured from September 1984 to date. These problems are, in the Commission's opinion, the legal and political situation, the problem of disappearances, and the way the so-called "development polls," "Civil Defense Patrols," and the "interinstitutional Coordinators," systems affect the Indian and rural population.

Legal and Political Situation in Guatemala

During the government of General Oscar Humberto Mejia Victores, the political and legal situation in Guatemala has maintained the same legal structure established by the "Fundamental Government Statute" of General Efrain Rios Montt, and thus will continue up to January 14, 1986, when the new Political Constitution of the Guatemalan Republic approved by the Constituent National Assembly on May 31, 1985, will enter into effect.

The new Guatemalan Constitution, approved by the Constituent National Assembly, has a different structure from the country's previous constitutions and reflects the real importance the legislatures have attached to human beings and individual rights in a new conception of the organization of the state and political and normative system "affirming the primacy of human beings as the subject and purpose of social order," and the decision to "promote full respect for human rights in a stable, permanent and popular institutional order, where the governed and the governors are absolutely bound by the law." The Constitution consists of 7 titles and 281 articles that are part of the main text and one title, VIII, which consists of 22 articles containing temporary and final provisions.

The topic of human rights, their protection and defense, is fully dealt with in the new Guatemalan Constitution, primarily in Titles I, II and III. The individual rights that the Constitution specifies are the right to life; the right to liberty and equality of all human beings; the right to freedom of action; illegal or arbitrary arrests are forbidden; prisoners must be brought before a competent judge within six hours, and may not be subject to any other authority; every imprisoned person must be immediately notified of the reasons for his detention, the authority that ordered it and the place where he will be detained, and the person designated by him must be informed of these circumstances by the quickest means; the right of all prisoners to be assisted by a counsel who shall be present at all judicial and police proceedings, and the prisoner may not be compelled to testify except before a judge within a period not to exceed 24 hours; extrajudicial interrogations are not admissable as evidence; no one may be taken to places of detention, arrest or imprisonment other than those that are legally and publically designated for that purpose, and those who violate this rule shall be held responsible; persons arrested for offenses or violations must not be held if their indentity can be established by documents, by the testimony of a known person, or by the authorities themselves; and no one may be sentenced or deprived of his rights without having been summoned, tried and convicted in a legal trial before a competent and pre-established judge or court.

The Guatemalan Constitution also forbids special or secret courts and procedures that are not legally pre-established; it also affirms the principle of presumed innocence, public trials, nonretroactive laws, no crime or penalty without a previous law, and no debtor prisons.

It provides that the death penalty may not be imposed on the basis of presumptive evidence, nor on women or persons older than 60 years of age, nor on those accused of political crimes or common crimes connected with politics, nor on accused persons

whose extradition has been granted on the condition that these prohibitions will be respected. It also provides that the Congress may abolish the death penalty.

Regarding international relations, the new Guatemalan Constitution provides that Guatemala shall govern its relations with other States in accordance with international principles, rules and practices in order to contribute to the maintenance of peace, freedom and respect and defense of human rights, the strengthening of democratic processes and international institutions that ensure fair and mutual benefits between states.

Also noteworthy is the fact that in Title II, Chapter II, Third Section, the treatment given to the rights of Indians and Indian communities, whose right of cultural identity is recognized in accordance with their values, language and customs. The State declares that it recognizes, respects and promotes their way of life, customs, traditions, forms of social organization, the use of Indian dress, languages and dialects, and protects their cooperative and communal lands and their family property (patrimonio families), and ensures that the system will be maintained, by providing for special promotion and development programs and measures to avoid discriminatory treatment in payment of their wages when they work outside their communities. It likewise calls for the enactment of a specific law to regulate all aspects of the protection and defense of such rights.

Title VI establishes the "Constitutional Guarantees and Defense of the Constitution Order." These guarantees include first the writ of **habeas corpus**, which can be filed by any one who is illegally arrested or deprived in any way of his individual freedom, or is mistreated even though his arrest was based on the law. If the person for whom the writ is filed cannot be found, the court must order that the case be investigated until the facts are fully determined. The Constitution also provides for the remedy of **amparo** to protect persons whose rights are threatened and to restore the observance of those rights when such violation has occurred.

Likewise, legal action may be brought to declare laws, regulations or general provisions that totally or partially violate the Constitution to be declared unconstitutional. The new Constitution establishes a standing Court or Constitutionality to defend the constitutional order, acting as a collegial court independent of other State agencies.

Particularly noteworthy is the fact that the Guatemalan Constitution also established a Human Rights Commission of the Congress to be composed of a deputy from each political party. This Commission will nominate three candidates for the election of a prosecutor (Procurador) who will have the qualifications of a Supreme Court justice. The law wil regulate the powers of this Commission and of the Human Rights Prosecutor, who will act as a commissioner of this body to defend human rights and monitor public administration. He will serve for five years, and must submit annual reports to the plenary sessions of Congress, with which he is connected through the Human Righs Commission.

The duties of the Human Rights Prosecutor are as follows; a) promote the proper operation and streamline the administration of the government in human rights matters; b) investigate and bring charges regarding administrative actons that are injurious to the interests of persons; c) investigate all kinds of complaints of human rights violations; d)recommend changes in the administrative actions of officials against whom complaints are lodged; e) publically censure acts or behavior that violates constitutional rights; f) promote administrative or judicial remedies or actions when appropriate; and g) take any other actions assigned to him by the law. The Prosecutor is also reponsible in cases of suspension of guarantees for seeing to it that all rights that have not been expressly restricted are fully guaranteed.

Regarding the status of human rights, the Commission has previously underscored the progress made in this area under the administration of General Oscar Humberto Mejia Victores, and under the presidency of the Supreme Electoral Tribunal of Arturo Herbruger Asturias, which was given concrete implementation on August 1, 1984, with the completion of the first stage of the Polistical Cronogram (Cronograma Politico), which consisted of installing the Constituent National Assembly to write the new Constitution of the Republic of Guatemala.

On May 21, 1985, the Chief of State announced that military personnel discharged from the army to take posts in the military government would return to their previous positions of military command in order to give the administration a more civilian im-

Santa Reagan

age before the change of administration, so as to ensure that the Chief of State would be the only military officer remaining in the government until the change of administration. On May 31, when the new text of the Constitution was received for publication in the Official Gazette, the Chief of State announced that the army and the government would keep their promises not to support any group or candidate in the next elections.

The new Electoral Law for the general elections next November and December was enacted on June 3, and on the following day, the military governor of Guatemala scheduled presidential, legislative and municipal elections for November 3, and if an absolute majority was not obtained in the presidential election, the runoff election would be held on December 3. In the legislative elections, 100 deputies will be elected (75 district and 25 national). The electoral schedule provides that the president-elect will take office on January 14, 1986, and will serve for five-year term. His election will mark the end of 14 years of military regimes.

The citizens' Electoral Register (Registro Electoral) indicates that 14 political parties will participate in the coming general elections, and all of them have met the requirements established by the current Political Organization Law, including the submission of signatures of 4,000 members and having a party organization in 50 municipalities.

The eight candidates for the president and vice president of the Republic of Guatemala, registered by the August 15 deadline for filing of candidates are as follows:

Mario Solorzano Martinez and Luis Zurita Tablada, of the Social Democratic Party (PSD), who are running for the first time in an election; Lionel Sisniega Otero and Julio Benjamin Sultan, of the Anticommunist Unification Pary (POA), the National Unity Front (FUN) and the Emerging Movement of Harmony (Movimiento Energente de Concordia) (MEC); Jorge Elias Serrano and Mario Fuentes Pieruccini, of the Democratic Party of National Cooperation (PDCN) and the Revolutionary Party (PR); Mario Sandoval Alarcon and Jaime Caceres Knox of the National Liberation Movement (MLN) and the Democratic Institutional Party (PID), they are also supported by the Popular Democratic Force (FDP) but that party did not register them officially; Alejandro Maldonado Aguirre and Mauricio Quixtan, of the National Renewal Party (PNR); Mario David Garcia and Carlos Molina Mencos, of the Nationalistic Authentic Central Party (Central Autentica Nacionalista) (CAN); Vinicio Cerezo Arevalo and Roberto Carpio Nicole, of the Guatemalan Christian Democratic Party (the Democratic Civic Front (FCD-5) also supported them but did not register them officially); Jorge Capio Nicolle and Ramiro De Leon Carpio, of the Union of the National Center (UCN).

In addition, candidates were recorded for 100 seats (curules) in the National Congress and 327 for mayors and municipal corporations.

Forced Disappearance of Persons

Unfortunately, the forced disappearance of persons is nothing new in the gamut of human rights violations in the hemisphere, and precisely because of its extreme seriousness, it has been considered and condemned by the General Assembly of the Organization of American States as a crime against humanity (delito de lesa humanidad). However, although this crims has different characteristics in every country where it occurs, there appears to be a common denominator that typifies and characterizes this practice.

Analysis of the information in the possession of the Commission on the names, dates, data, ages, sex professions or activities of victims, common characteristics of the attacks and other studies on the problem, it is clear, without determining the exact number of missing persons, which under the administratin of General Oscar Humberto Mejia Victores is over 1,000, that the situation is extremely serious. This problem is dealt with fully and in detail in the special report submitted by the IACHR to the Government of Guatemala.

As a matter of fact, some of these cases of forced disappearance of persons took place during the on-site visit of the IACHR Special Commission to Guatemala. In fact, from May 3 when Executive Secretariat personnel began to arrive to May 10 when the visit was completed, Messrs. Oswaldo Rodriquez Cabrera, Jorge Humberto Granados Hernandez and Juan Carlos Alfaro Alvarez were kidnapped and disappeared. Only the last of these persons reappeared, and he said that the Department of Technical Investigations (DIT) was the agency responsible for his apprehension.

Absence of Legal Measures of Protection

It is frequently true that, when illegal arrest, kidnapping and disappearance of persons not investigated or punished properly occur in a country, the remedy of **habeas corpus** is almost always an ineffective weapon to counteract this situation. That also seems to be the case in Guatemala, where for a number of years, the remedy of **habeas corpus**, the only legal guarantee provided for in the Government's Fundamental Statute to defend the freedom, security and life of human beings, has become ineffective and inoperative.

In view of the many complaints received about the inoperativeness of the **habeas corpus** remedy, the Commission has repeatedly requested the Government of General Oscar Humberto Mejia Victores to take the necessary steps to make this important legal instrument for protection and defense of human rights fully effective.

In its last report to the General Assembly of the Organization of American States (1983-1984), the Commission pointed out in this connection:

> The inefficacy of judicial institutions to protect the populaton from abuse by government authorities, such as the writ of **habeas corpus**, which the Commission's past reports strongly recommended by strengthened, has again become apparent under this government, which makes it necessary to emphasize the need to provide the Judiciary with the independence and appropriate means to enforce respect for the law and the reign of justice.

The Commission is aware that in the period covered by this report, hundreds of **habeas corpus** writs have been rejected by the courts, based entirely on the police reports that the missing persons were not held in any of the country's detention centers. The IACHR Special Commission found in its on-site visit that such fact finding had not been made at the national level and no real investigation had been made by the police, who did no more than check the names of persons booked at the DIT local offices in Guatemala City, so that the efforts of the vicitms' families to find them were thwarted.

The Mutual Support Group Working for the Reappearance Alive of our Sons, Spouses, Parents and Sisters and Brothers (GAM)

There was no organization of parents or family members of missing detainees in Guatemala, and the first committees that were organized were broken up one after another by previous administrations until the appearance on June 4, 1984, of the GAM or "Grupo de Apoyo Mutuo por el reaparecimiento con Vida de Nuestros Hijo, Esposos, Padres y Hermanos," an organization set up under the right of freedom of association. Twelve months after it was established, the GAM membership consisted of 640 families with 538 cases of missing detainees from 1980 to 1985, who included: men from 18 to 40, usually workmen, trade unionists, students and professional workers; women 18 to 35, ususally mothers who are pregnant and devoted to their homes, farm women, students, and women workers; and children from 6 to 16, mainly peasants and primary and secondary school students. Most are women, and almost 80% are of Indian origin.

To make its action effective, the GAM began in defiance of government authority to hold protest demonstrations. After peacefully taking over the building of the National Congress, the members of the GAM have been received on various occasions by

(Continued on page 28)

ECUADOR
"NATURE CONSERVATION" MASKS AMAZON DESTUCTION

THE INVASION OF INDIAN LANDS IN ECUADORIAN AMAZONIA HAS ACCELERATED DRAMATICALLY OVER RECENT MONTHS. IN SPITE OF THE SERIOUS DAMAGE IT IS CAUSING TO THE ENVIRONMENT, THE GOVERNMENT IS ACTIVELY PROMOTING OIL PALM CULTIVATION ON A MASSIVE SCALE, WITH FINANCIAL BACKING FROM BELGIUM, BRITAIN AND GERMANY. IT HAS MANIPULATED THE USE OF CONSERVATION ZONES FOR ITS OWN COMMERICAL ENDS, AND THE INDIANS ARE NOW BEING PUSHED OFF THE LANDS THEY HAVE LIVED ON FOR CENTURIES. IN AN ATTEMPT TO RESIST THE INVASION, THE INDIANS RECENTLY KILLED A COLONIST IN A CONFLICT OVER LAND.

OIL INVASION

Although **Shell Oil** began drilling in Ecuadorian Amazonia in the 1940s, it was not until the early 1970s that the real oil "boom" started there. The oil companies (principally Texaco) built a series of new towns, roads and pipe-lines, to service their operations in the tropical forest. The roads were quickly used by poor colonists attempting to escape the poverty of the Andes and the coastal region. The government encouraged this migration in order to defuse political tension in these poor areas, and because it feared Peruvian expansion in Ecuadorian Amazonia.

The oil exploration and extraction has now devastated much of the northern part of the forest. Immigration into the area is continuing. Oil spills have polluted many of the rivers and much of the forest has been cleared. Following a recent change in Government, more than 20 oil companies have expressed an interest in new exploration. **Occidental** and **Exxon** have already signed contracts, and those interested include the notorious **Elf Aquitaine**, responsible for destroying Indian lands in Brazil.

Five Indian groups - the Quichua, Waorani, Cofan, Siona and Decoya - live in this area and all have suffered greatly as a result of this invasion. They are now struggling to hang on to what lands they have left but, as well as the oil and timber extraction, they now face yet another serious threat - from huge plantations of the African oil palm.

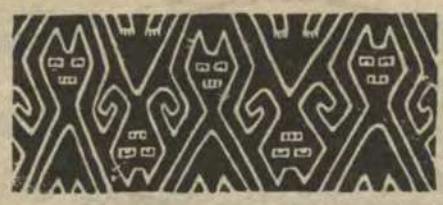
OIL PALM PLANTATIONS

Oil palm has been grown commercially in Ecuador for several years. The oldest plantations are found to the west of the Andes, not in Amazonia. Rivers there are now so heavily polluted by the industry that one of them, the Cucaracha, is reported to have changed colour and to be covered with a greasy film. **Peasants who live nearby complain of intestinal and skin disorders and their cattle suffer an abnormally high rate of disease.**

There are two existing areas of oil palm production in Amazonia. One, owned by the company, Palmeras del Ecuador SA, lies close to the oil wells in the Shushufindi valley and has devastated the economy of both the Siona and Secoya Indian groups - about 300 people. River pollution, in both the Shushufindi tributary and the main river, the Aguarico, has killed much of the fish, and the industry has driven away practically all the nearby game. This plantation, opened in 1978, extends for some 10,000 hectares.

In 1979, another 10,000 hectar cultivation was opened further to the west, on the Huashito river. Pollution here has affected the Huashito itself, as well as the Punino and the main river, the Payamino. Two Quichua Indian communities, Estrella Yacu and Corazon del Orlente, with a total population of over 300 Indians, lie on these rivers, close to the plantation itself. Both have been severely disrupted. In addition, there are dozens of scatterd Indian houses in the region. This area is owned by the company, Palmoriente SA, which derives 40% of its capital from Europe (19% from Belgium - Socfin Consultant Services Socfinco SA; 15% from Britain - Commonwealth Development Corporation; and, 6% from Germany - Deutsche Finanzierungsgesellschaft fur Beteiligungen in Entwicklungslandern GmbH) with technical assistance to the plantation provided by the French (Institute de Recherches pour les Huiles et Oliagineux).

In March 1984, in spite of the social and environmental problems associated with these ventures, the Ecuadorian Central Bank announced that no less than 250,000 hectares in northern Amazonia alone, were suitable for oil palm production, and that the industry should become a major economic resource for the country.



FOREST DESTRUCTION MASQUERADING AS CONSERVATION

Four months later the Government created two new "conservation zones" in Amazonia. Both were styled as "forestry reserves"; one covered 11,000 hectares in the region of the Quichua community of Loreto, the other was a vast 45,000 hectare area near the Quichua community of Limoncocha. In spite of the fact that some 40 Indian communities, some with formal land title documents approved by the Governemnt, lay within the so-called "forestry reserves", the zones were declared to be "empty of all human settlement."

The Indians objected and, in May 1985, the Government executed a most extraordinarly retraction. It annulled the conservation zones and declared that "the lands which are in possession of the aboriginal communities, will be delimited to guarantee their territorial integrity, secure their survival, and procure the conservation of existing natural resources." Moreover, the annullment edict admitted that the zones had been set aside "to cultivate African palm and not to preserve the forest resources" at all! The admission confirms what Survival International has been saying for several years; that many "conservation zones" and "national parks" are created for essentially economic reasons, to the detriment of the tribal peoples who live there, and that they have nothing whatsoever to do with conserving nature.

Whilst the annullments seem, at first sight, to be a move in favour of Indian land rights, closer inspection raises fresh doubts about the Government's intentions in the area. Local Indian organizations, for example, had an agreement with the land titling offices to the effect that the Indians themselves would be responsible for mapping and marking out their own community lands. This far-sighted agreement was rescinded by the Government at the same time as the "foresty reserves" were annulled.

INVASION

Seven weeks later, a group of people appreared in the former "forestry reserve" near Loreto. Although they were not using offical vehicles, it was clear to the Indians that they were offical surveyors. They were even accompanied by a Frenchman employed by the Palmoriente oil palm plantation. The Indians challenged the surveyors and insisted they explain what they wanted. The surveyors ignored this, and the Indians refused to allow them into the area.

Two weeks later, on 22 July 1985, the national Director of the land title office (IERAC), declared that 13.8 million hectares in Amazonia were "empty" and that the Government should promote colonization in the region. He said that 20,000 hectares would be given over to African palm cultivation, but reiterated that Indian lands would be respected. He said, "the country cannot affort the luxury of keeping millions of empty hectares in Amazonia."

The Minister of Agriculture confirmed this on 7 August. He gave a figure of 26,000 hectares as the area to be devoted to the palm crop. Twenty days later, the Director of IERAC specified that this land would be in the Panayacu area, between the Napo and Aguarico rivers, and would extend as far as the community of Panacocha. He went on to say that another 34,000 hectares in the same area would be developed in other agro-industrial projects. He confirmed that "under no circumstances had we thought of cultivating African palm in areas where there are traditional ethnic groups", and indicated that there was no Indian population in the zone. In actual fact, the area is occupied by a number of Quichua, Siona and Secoya communities, including Itaya, Anangu-Sani Isla and Pilche. It is alleged that the **U.S. company, United Brands** is also seeking to cultivate up to 15,000 hectares of oil palm in the same area.

On the same day as this announcement was made in Quito, a group of about 30 people claiming to be colonists, but using oil company vehicles, invaded the Quichua community of Huamayacu and threatened the Indians with firearms. In the days following, similar invasions occured in the nearby Quichua communities of Descanso and Parotoyacu. The invasions were well organized and coordinated and the Indians think that, far from being spontaneous land invasions carried out by poor colonists, they are really a part of a calculated Government strategy to push the Indians off their land. Some of the invaders were, in fact, local land-owners known to the Indians.

CONFLICT

Two weeks after these invasions, on 13 September, the Amazonian Indian Confederation (CONFENIAE) made a formal complaint to the Government and called on the authorities to evict the "colonists". The Indian met the Minister responsible and called a press conference. As nothing resulted from this, the Indians decided to carry out the evictions themselves. They said: "We knew this decision could lead to serious consequences. But the laws which are there to protect us, have been shown to be useless, and the authorities have been deaf to our complaints. Our lands are the only hope of our children's survival, and we are seeing them stolen from under us. We *must* seek to defend ourselves."

During the ensuing conflict, a colonist was killed.

At the same time as these invasions were occurring on the Napo river, the Siona and Secoya Indian groups, further to the north, learned to their dismay that a part of their lands, on the right bank of the Aguarico, had been erased from the official land-titling maps, and that survey teams working for agroindustrial enterprises had been active in the area. The lands in question had formerly been marked out as Indian territory by the land title office itself, and the Indians were simply waiting for official documents to confirm this.

It seems clear from these events that the Ecuadorian Government is engaged in considerable deception and double-dealing in its attempt to turn Indian lands over to oil palm production and other "development." If it goes ahead with it plans, such cultivations will have the double effect of destroying Indian land, razing the forests and polluting the rivers.

RIVERS

Survival International has protested to the Ecuadorian Government about this. We have called on the Government to ensure that all land used by the Indian peoples is formally titled to them in accordance with international, and Ecuadorian law. So-called "development projects" in Amazonia should not proceed until Indian lands have been secured.

WRITE:

Ingeniero Leon Febres Cordero,
Presidente de la Republica
Presidencia de la Republica del Ecuador
Quito
Ecuador

Key Points

Express grave concern for the futures of the 63,000 Indians in Ecuadorian Amazonia as well as the 6,000 lowland Indians inhabiting Ecuador's costal region. Practically all of them are now facing catastrophic devastation as their lands are taken over by oil companies, timber extractors and large plantations of the African oil palm.

Point out that, in spite of the fact that Ecuador has ratified the International labour Organisation's Covention on Tribal and Indigenous Populations (107), which provides the Indians with legal ownership rights to their traditional lands, this law has not been satisfactorily applied in Ecuador. Most Indian communities are without title to their lands. Where they do have title they are often of very limited extent and do not include traditional hunting zones.

Protest against the devious measures which appear to have been used to try and promote new oil palm cultivations in Amazonia, including the deceitful creation of "foestry reserves" for plantations. Note that this has even been admitted by the relevant Ministry. Express concern, based on studies carried out to the west of Amazonia, that oil palm cultivations have the effect of polluting the environment and causing many probelms for those who live in their vicinity.

Denounce the illegal invasions which have occured recently in a number of Quichua communities close to the town of Francisco de Orellana (Coca) on the Napo river. Note with the utmost regret that a colonist has been killed in violent confrontations as the Indians have attempted to defend their lands.

Urge, respectfully, that the President ensures: that Indian lands are properly titled in accordance with international law; that such lands enjoy the full protection of the authorities and are not subject to invasion from outside colonists or agribusiness: that the voice of the representative Indian organisations is heeded by the authorities in any deliberations which affect the future of the Indian peoples in lowland Ecuador.

Source: Survival International USA
2121 Decatur Place, NW
Washington, DC 20008

PERU: Fear of Torture/"Disappearance"

Amnesty International is concerned about 15 people who are believed to be held in unacknowledged detention. There is concern for their safety.

According to information received by Amnesty International, the following 11 people were arrested by members of the army or civil guard (Peruvian Police) on 24 November 1985, the day of the provincial municipal elections, in Huanta. Several were on their way to vote.

— Moises Quispe Rodrigues, aged 23
— Justiniano Elarte Rimache, aged 20
— Francisco Urbano Elarte Rimache, aged 22, a student detained near Huanta
— Carlos Cruz Bendesu, aged 29, farmer, detained at 5 a.m. in the village of San Franscisco in Huanta Province
— Eliseo Gavilan Gavilan, aged 23, farmer
— Jaime Huamani Norote, aged 15
— Jose Luis Yaxa Escalante, aged 19
— Macendonio Meneses Gastelu, aged 30
— Xenobio Valenzuela Montero, aged 19
— Maximo Llaclla Zaya, aged 22
— (one other, name unknown)

These people are reported to have been taken first to the Campamento de Castro Pampa, a new military camp located in Huanta province where detainees are now taken. (Until a short time ago, detentions in Huanta province were carried out by navy personnel and the prisoners were taken to Huanta Stadium). The same report indicate that the detainees were later transferred to the Los Cabitos military headquarters in the outskirts of Ayacucho City.

Reports have also been received about the detentions of four other people during November 1985:

— Teofilo Morales Gutierrez, aged 23, arrested 17 November on leaving the church in the Plaza de Armas, Huanta
— Alejandro Castro Loayza, aged 33, arrested at his home in Ayacucho by military intelligence service agents
— Juan Pedro Jorge Navarro, aged 18, student
— Jose Alfonso Quispe, aged 25, detained by the army on 1 November in Ayacucho.

A writ of habeas corpus was presented by telegram on behalf of these 15 people by a Peruvian human rights organization on 29 November 1985 but, as far as Amnesty International is aware, there has been no response. Relatives of the prisoners also presented writs of habeas corpus with similar results, and denounced the possible "disappearances" to the Miisterio Publico, the Attorney General's Office. The Ministerio Publico estimates that some 1,900 denunciations of "disappearances" have been recorded since this phenomenon began at the end of 1982.

BACKGROUND INFORMATION

On 28 July 1985 a new government headed by President Alan Garcia took office in Peru. In his inaugural speech, President Garcia stated that it was not necessary to resort to "barbaric methods".

Serious human rights violations, including torture and "disappeances", are, however, reported to continue to take place. On 6 September 1985 Amnesty International sent a telex to President Garcia expressing the organization's concern about recent "disappearance" in the department of Ayacucho. It cited the provincial proesecutor of the area who reported that he had received 20 denunciations of "disappearnaces" during August 1985, of which only six cases had been resolved by the end of the month. In the telex Amnesty Interatnional also expressed its concern abouty reports that seven people detained between 3 and 16 August 1985 had been found dead in Pucayacu, Huanta province.

RECOMMENDED ACTION: telegrams/telexes/airmail letters:

— expressing concern that these 15 people are reported to have been arrested but that their detention has not been acknowledged,
— requesting information about their current whereabouts,
— urging that they be humanely treated while in detention and that they be released unless promptly brought before a court and charged with a recognizably criminal offense.

APPEALS TO: Salutations
Presidente Alan Garcia Your Excellency
Presidente de la Republicva del Peru
Palacio de Gobierno
752 Av. Canaval Moreya
Pescaderia, Lima, Peru
(telegrams to: Presidente Garcia, Lima Peru)
telexes to: 20167 PE PALACIO)

Sr. Ministro del Interior Your Excellency
Ministerio del Interior
San Isidro, Lima, Peru
(telegrams to: Ministro Interior, Lima, Peru)
(telexes to: 21133 PE OCMI)

General Jorge Flores Torres Your Excellency
Ministro de Guerra
Ministerio de Guerra
Avenida Boulevard S/N
Monterrico
Lima 33, Peru (Minister of War
(telegrams to: Ministro Guerra, Lima, Peru)

COPIES TO:
Senores
APRODEH
Av. Abancay 210, of. 1102
Lima 1, Peru (human rights organization)

ANFASEP — National Association of the relatives of disappeared and detained and kidnapped in the emergency zone of Peru and Ayacucho.
Lima, November 17, 1985
Friends,

I am happy to have this opportunity and am taking advantage of the trip by a friend who was in Ayacucho, in hoping that you are fine and fully committed to continue the struggle of peace and justice in Peru.

We relatives are keeping the orphanage going where orphan children and needy relatives seek and this is especially people who need support, and we look at them without distinction of religion or creed because the relatives gather in an association of poor people and victims of the repression who are seeking our loved ones alive and for justice and respect for the rights of our peoples which are being violated and present communities that are being wiped out where there is killing and destruction and life is worth nothing and justice is not even on the horizon. The days go by and the authorities are indifferent to our situation and to the pain of the people. Only talk when they are after their own party interest. We relatives are seeking something that was taken away from us and we have a right to know about our relatives and about our children too, and our people and how long will the silence go on. But even with this new government the situation has not changed, the disappearances still go on and the killings continue as well, especially I don't believe in this government and its demogogery, but it is a democratic government before other countries but to us who live in our own flesh, the pain and the suffering, they cannot fool us because the actions themselves demonstrate what the government is doing and only serve to unmask and by their own weight bring the collapse in the goverhment. We have more than 50 disappeared and mass murders in the peasant communities, Umaro and the murder of 65 commuity members and the town destroyed and the same with the towns of ACCOMARCA, Llocllaplampa, etc., but this what is seen in the countryside is brought into the city too with murder and many wounded and an invasion of the Garagay space and the genocide brought againt the prisoners of San Juan de Lurigancho, murder and burning among more than 34 political prisoners. This demonstrates to us the genocidal plan against our people.

We are losing our faith with this government but the struggle of our people of our relatives makes another hope be born which makes us rise us up on our feet, and our children drive us to continue seeking justice so that they might enjoy the happiness of our people. I do not say this out of pessimism, but rather we must be realistic because of many occasions they have already threatened me, but I can not leave my people and be indifferent to my reality and live with my back turned to them while they bleed. I believe that it is better to die struggling and shouting the truth. That is why I have hopes that justice will come and the guilty ones will be punished. That this we shall achieve with all those who are aware of this inequality operating in Peru and that is why we are so grateful for what you do for us (all of you), although there have been problems behind the people of good faith by the ones who only think of themselves, I believe that it is good that people see this problem and tell us what they think about it. Later I will also share that with you since I am writting very much in a rush and taking the advantage of this trip of the friend. I send you some crafts and we are pushing forward with the crafts work for the maintenance of each relative who does not have income or resources just like the orphanage. We are setting up immediate alternatives for our problems because we want the relatives to be able to work and not only dealing with the disappearences of our family members. Naturally that is the key thing, but we also need to see to the personal problems of each one in order to continue united and if we don't see to this each relative will have to go off and seek their own living alone. This we want to look to since we are an organization which unites us and we struggle for everyone and for the future of our people.

True, there is much to say about the suffering towns and the people and the areas declared in emergency and Ayacucho that continues to shed blood, but we carry on and we hope for the support and solidarity with the children. We are trying to carry out a Christmas campaign and if you could gather together even a few toys for these children who never have them and have only their empty hands and their sad little faces, perhaps for one day they might smile and that depends on you and all the brothers and sisters that are in solidarity with us.

We are hoping for your support or vote of confidence in the Association of relatives which previously was the committee and now is the Association of The Relatives of the disappeared/detainees in the area declared in a state of emergency with the groups in Ayacucho.

Later on I'll be sharing with you many things that I hope for your answer. I'm writing very much in a rush because I am travelling to Montevideo (Uruguay) to the FEDEFAM conference, this was very difficult but we managed the trip through the help of SERPAJ—Peru.

Many greetings to all the friends and to all the communities and to Jonah House.

AFASEP AYACUCHO - Peru
Lima AP 5602, Lima 100 Peru

Peru Disappeared sources:

AYLLU
Box 411
New Haven CT 06502
303-440-0913

Amnesty International
P.O.Box 1270
Nederland CO 80466

or;
Amnesty International Secretariat
1 Easton Street
London WC1X 8DJ England

BOLIVIA: Pedro Portugal, Director of Chitakolla.

Article by Jameson Brant

"Education in Bolivia"
(Originally appeared in Assembly of First Nations Education Secretariat Newsletter, vol.2/no.1 Jan 86: AFN, 47 Clarence St, 3rd Floor, Ottawa Ontario K1N 9K1 (613) 236-0673, telex 053-3202; 1-800-267-0321 toll free number AFN education secretariat; reprinted with permission.)

Early in December the AFN was visited by Pedro Portugal, an Aymara Indian from Bolivia, South America. He provided us with some interesting facts on the Bolivian education system which we would like to share with our readers. Although their struggle for cultural and linguistic inclusion is comparable to the North American Indian situation, most of these facts present a case that may never be fully comprehended by us.

To begin, 80 percent of Bolivia's population is Indian. Of the 6 million people, 5 million speak a Native language. Two and one-half speak Quecha, one and one-half speak Aymara, and the rest speak either Tupi-warani or other rural dialects. Since the language of instruction in Bolivia is Spanish, 45 percent of the Native adults are illiterate. This fact is more easily accepted when we realize that education was prohibited to Indians before 1952.

Education for the Natives of Bolivia became a legal right only after concerned groups joined in a collective request for the public education. Now primary and secondary education is the free right. Students are required to attend school at the age of six and obligated to continue for 13 years. Post-secondary education must be paid for entirely by the students.

All of the public schools are run by the government, and most students have to re-locate to the Spanish-speaking cities for an education. There are a very few schools in the out-lying jungle areas, all of which are mission schools run by various denominations. Most of the post-secondary or vocational schools in the cities are run by the Roman Catholic church.

According to Mr. Portugal, one of the greatest drawbacks of the present system is that it does not properly serve the village or rural populations. Most of the teachers who are sent to the country go there out of necessity. They are often unhappy and, hence, project a negative attitude toward the students. There are some qualified Native teachers that return to the country with a different opinion. The government supports the concept of Indians teaching Indians but only if they do so in the Spanish language with a conquest/colonial-type approach. All of the history taught in the schools revolves around the Spanish conquest.

Native language and cultural content in the curriculum are of utmost priority for the Bolivian Indians. Since there is such a great diversity in linquistic function between the Spanish-speaking cities and the rural areas, most of the groups feel that education would be more practical if the language of instruction were their own. Likewise, they express the need for cultural content which can best be sought after in the rural areas. The Native people are making these requests to voice the fact that they do not wish to leave their rural lands, without which there would be no identity, for the sake of a government education in the city.

Pedro is also Director of an organization entitled Centro "Chitakolla" which, in the Aymara language means "the medicine of the orphans". The group represents students, professionals, workers and farmers — all of Native origin. One of the centre's main objectives is to promote the creation of schools in the country to safeguard the Indian languages and culture. Some of their recent activities include courses on traditional medicine (scientifically-proven curative plants), involvement in meetings on higher education for Native students, creating a documentary film on daily life in rural Bolivia, and sending a representative to the International Indigenous Youth Conference held in Saskatoon earlier this year.

The "Chitakolla" Centre also attempts to motivate, encourage and help the creation of similar groups in other parts of the Americas and to establish continuous communications with them. One of their ideas is to set up an exchange program between the Bolivian Natives and other indigenous students. The purpose would be to create a cultural/educational experience in which participants would be able to meet, exchange ideas, and compare educational systems.

The Native peoples' movement to change the education system receives no support from the government. All of the work is done by the Indian people for themselves and they are now beginning to receive support from churches and outside organizations. Their most important goal is to put an end to the deception and misleading education that is now being administered.

Mr. Portugal came to Canada on behalf of his people to locate foundations and/or individuals who are interested in supporting their ideas. The centre is seeking financial assistance as well as office equipment and supplies.

If you are able to provide support or are interested in the cultural exchange program, please contact:

Pedro Portugal M.
Centro Chitakolla
Casilla 20214
Correo Central
La Paz, Bolivia

FUTURE DIRECTIONS IN INDIAN EDUCATION

A National Conference to be held at:
The Winnipeg Convention Centre, Manitoba.
May 20-22, 1986.

1. The purpose of this conference is to increase our awareness of issues relating to Indian jurisdiction over Indian education and to provide answers to obstacles in the path of attaining control over education.
2. This will be a working conference with the majority of time dedicated to workshops and panel discussions.
3. We will encourage participation and information exchange by all in attendance.
4. Participation is open to all students, parents, educators, administrators, council members and chiefs interested in the future of Indian education.
5. If you are able to provide resource personnel, would like to make a suggestion, or require more information, please contact:

The Education Secretariat
Assembly of First Nations
47 Clarence St, Suite 300
Ottawa, Ontario K1N 9K1
(613) 236-0673 or toll-free (800) 267-0321
Ms. Jameson Brant, Conference co-ordinator.

National Essay Competition: In order to encourage Youth Participation in the **Future Directions in Indian Education** conference, the Education Secretariat is holding an essay contest for secondary school students. Contestants are asked to submit a 1,000 word essay on the theme:

My Personal View of Indian Education in the year 2000.

Suggested topics include: likes and dislikes of the present system; changes that you would make if you had control; what you would teach in the year 2000; what new teaching techniques or technology you would use; what future community and school relations should be like; the importance of cultural content in the future.

You may write about one or a combination of these topics or choose your own as long as it stays within the overall essay theme. The contest will be judged by an impartial panel of Indian educators and representatives of the AFN Chiefs Committee of Education.

PRIZE: Winner receives round-trip ticket to and accomodations at our Winnipeg conference, May 20-22, where they will read their winning essay.

ELIGIBILITY: Contestants must be enrolled in a secondary school during the 1985-86 school term.

DEADLINE: Submissions must be received by the Education Secretariat no later than MARCH 15, 1986.

Please include your name, address and school. Papers must be legible but can be typed or handwritten.

Special Needs: Special Education & Native Children Conference, May 1-2, Sheraton Hotel, Winnipeg, Manitoba.

Contact: Ron Phillips, Special Education Advisor; Manitoba Indian Education Association; 301-294 Portage Ave.; Winnipeg, Manitoba R3C 0B9; (204) 947-0421 or toll-free in Manitoba (800) 362-3348.
-or- Bob Buchan, Regional Superintendant; Community & Special Services; Indian Affairs & Northern Development; 1500-275 Portage Ave; Winnipeg, MB R3B 3A3; (204) 949-2438.

WORLD CONFERENCE: INDIGENOUS PEOPLE'S EDUCATION; June 9-13, University of British Columbia, Vancouver.

The theme will be Tradition, Change & Survival. Preconference round table at U.B.C. JUNE 4-6, 1986. Twelve Indigenous world scholars will discuss a thought-provoking paper on "Tradition, Change & Survival".

Contact: **World Conference, c/o N.I.T.E.P. Faculty of Education, University of British Columbia; Vancouver, B.C. V6T 1Z5 (604) 228-5420.**

Bolivia: Report on Indian Schools

Ater a more general report in "Akwesasne Notes" Fall 1985, p. 28, I would like to tell the readers of the Notes a bit about the school system in Bolivia, especially about the situation on education for Native Americans.

I had the possibility to visit a typical Indian School in Bolivia, the "Sagrado Corazon de Jesus" in Alto Chijini, La Paz. First I should tell you about the area, in which the school is situated. Alto Chijini is one of the parts in La Paz, where very poor Natives live. Many of them are farm-workers, who can't find a job on the Altiplano, where most farms of this area are. Therefore, they went to the city, La Paz, for search of work - without success. By doing crafts, 60% try to survive here. 20% work in offices or factories, with a monthly income of approx. 18 U.S.-$. The Bolivian Government doesn't care very much for parts like this of the city, therefore there are no real streets, just a few schools with very few and bad equipment. The houses in these parts are just huts built of sun-dried bricks with corrugated sheet iron roofs. In the same way the "Sagrado Corzon de Jesus" is built, a work of the parents of the pupils. At the weekends, they are doing repairs or construction of new buildings, but this is the result of the engagement of the director, Milar Rioss Cordero, who spoke to the parents and explained them the financial situation: the government just pays the wages for the teachers, what isn't very much, so that all teachers have to work at this school in the morning, in the afternoon at a different school and in the evening at University. But it means, that there is no money for desks, chairs, black-boards, chalk, books and many more things, or even the construction of a solid school building. One of their nine classrooms was not to be used during the rainy season, as water came down the slope because of thunderstorms and destroying one of the walls, running through the room. Recently the parents are working on building a wall for stopping this water — this was made possible only because of contributions from Germany, so that they were able to buy cement. As the school is not able to accept all children who want to go to school, they also are working on a new classroom — also, made possible only by contributions. The government has no money for things like this. Of course, more severe is that they'd have books, enough chairs and desks — several children have to sit on the bare soil. Those are lucky, who are early at school. And more and more people arrive from the Altiplano, more and more children want to go to school — the "Sagrado Corazon de Jesus" is the only school in this part of La Paz. The problems increase, the only hope are contributions from friends far away.

Also, the school has no fluent water, no toilets, just a few rooms have got electric light, there is no heating system, no glass in the windows, there are just very few locks on the doors, what means that the few furniture gets less and less because of theft. This is the situation of one school at La Paz, but the situation at other state schools is equal. But there are other schools... the privately owned schools, in good, solid houses with good equipment, like the German or the US-school. At least, for 15% of the students at the German School the attendance is free. But because of the low level of the basic schools, no Native will have the chance to change from a state school to such a school. There is also a project, run by German nuns in La Paz, a school with an aupher-nage (orphanage ?), "Colegio Ave Maria", that has a relative good equipment and only accepts the poor (Natives). One of the students of "Colegio Ave Maria" might get the chance to study at University in Germany soon... Well, I hope this report gave you a glance at the situation of Indian schools in Bolivia.

(Contributions are tax-deductible. More information from: GdIH, c/o Gerrit Jahn, Colegio Aleman, Casilla 605-4442, La Paz, Bolivia. GdIH is a German Native American Support Organization.)

— Gerrit Jahn

Sarawak: Native Customary Rights Versus Timber Companies

The timber-rich state of Sarawak, East Malaysia, is a haven for loggers. Indiscriminate logging has led to the physical landscape of Sarawak being drastically changed; its tribal communities culturally changed.

As much as 20% of total state land in Sarawak is classified as Native Customary Rights Land but only 2% of this land is surveyed and titled.

Therefore, the Ministry of Forestry possess few official records distinguishing Native Customary Rights Land from timberland. Without thorough investigations on the part of the Ministry of Foresty logging concessions are approved even though Native Customary Rights Land exist in a certain area.

The absence of such a document continues to create problems, sparking disputes involving native landowners and timber licencees.

Sarawak, East Malaysia, is a land rich in its culture and its people. It is composed of indigenous tribes of Ibans, Kayans, Kenyahs, Kelabits, Punans, Muruts, and a few others, as well as the Chinese and Malays -a diverse mix of people of tribes, each with their own customs, culture and heritage, but each with a right to the land that they stay on.

The Sarawak State Land Code of 1957 states that before 1st January 1957, any native of Sarawak could clear any part of the primary forest to farm or log, and in the process gain automatic Native Customary Rights Land. That Native Customary Rights Land is now being challenged by unscrupulous timber companies.

Logging is a major activity in Sarawak, yet at the same time, it is the harbinger of destruction. The impact of deforestation on nature and the environment are well-known. Its effect on tribal communites, on the other hand, remain very much in the dark.

Competition to obtain timber concessions in keen, therefore it is not unusual for native farmland with established Customary Rights to be leased or licensed out to timber companies by state authorities without the knowledge of the native. Only when timber companies move into their land to start logging activities do the natives find out that their land has been leased out.

At this practice becomes rampant, the conflict between the logging companies and the tribal communities increase. Widespread exploitation of the tribal communities is taking place whereby loggers take advantage of the illiteracy and naivety of the communities as well as apply intimidation. In the Baram District itself, there are 26 timber licensees based at 44 logging camps, withing an area of 8,521 square miles and a population density of 5.8 persons per square mile.

It is not always easy to identify the real owner of these timber concessions. Normally, licenses are issued to individuals who then commission the licenses to major timber companies which in turn can lease (the licensees) to sub-contractors. This makes the original licensee virtually 'invisible', who may never visit the logging camp but yet profit enormously from it.

Whoever they may be, it is common knowledge that timber licenses are usually owned by politicans or those related by blood or money to them.

The indigenous peoples of Sarawak depend on the forests and its environment for their needs, for example: timber is the basic construction materials for their longhouses and boats; wild fruits and crops supplement their rice; cane and rattan are used to make baskets and mats for their own use and for sale; the bark of the Seluka tree is used as a form of mosquito repellant; and many other herbs and plants are used for medicinal purposes. To strip their forests bare is to deprive them of their needs.

In an unprecedented move, a member of the Kanyan tribe has brought his case to court. In 1977, Leang Wan discovered that his land was leased out by state authorities for logging, so he signed an agreement with the logging company for ten years and received compensation.

In 1973, the logging company moved out and a new one moved in without Leang Wan's permission. He was also denied compensation, so he built a fence across the track leading to his land.

The timber company lodged a police report against him and he was immediately arrested and detained

in a cell for unlawfully restricting a trespasser from encroaching on his own land! The law arrested Leang Wan because he was exercising his Native Customary Rights. He has now taken a lawyer to defend him.

Leang Wan's predicament is but one of the many involving the exploitation of the natives and their rights. Some of the native landowners are paid only M$20 per acre of farmland which are left damaged, sometimes permanently, by the timber companies in their quests for more and more timber. In the words of a tribesman, "timber companies are more interested in the timber and how much money they can make. They just consider us as wild animals of the forest."

To minimise exploitation arising from timber concessions being indiscriminately licensed out, the Forestry Department in Sarawak must survey and define the boundary of forested areas to be licensed out and the Native Customary Rights Land of the indigenous people.

SOURCE: David D Heah
Sahabat Alam Malaysia (Friends of the Earth)
37, Lorong Birch
Penang 10250
Malaysia
Tel: 04-376930

Indians and Mining in Brazil

— Lucio Flavio Pinto (Published in **O Liberal,** *of Belem, 7/12/85)*

According to a recent survey done by researchers of CONAGE (the National Directory of Geologists) and CEDI (The Ecumenical Center for Documentation and Information) in Sao Paulo, Brazilian mining companies have interests in over 43% of the Indian territory of Para and Amapa in the northeast of Brazil. The Indian areas in the State of Para and the Territory of Amapa cover an area of over 14 million hectares of land. According to research done with the computer lists of the National Department of Mineral Production (DNPM), there are 708 requests and 120 permits (alvaras) for mineral research in about 6 million hectares.

The denouncement, made yesterday during the Second Symposium of Geology in Amazonia, is extremely grave. It has a double dimension. On the one hand, there are the obvious pretensions of the companies, which are formalized in these requests. The companies can ask for whatever they want, and there is nothing that prevents them from making requests to do mineral reserach in indigenous areas. Another question is the deferral of these requests. Since, legally, the DNPM cannot turn them down, whenever they decide on indigenous areas, they consult with FUNAI and then the DNPM gives them the "desk drawer embargo." (i.e. files them away). Thus, the solicitations exist, but they don't necessarily imply any mineral rights.

In their dossie, CONAGE and CEDI denounced the existence of the 120 permits, 27 of which were granted to multinationals, 11 to state companies, 28 to private national companies, 23 to individual companies, and 31 to companies or groups not identified as to the origin of their capital. BRASCAN alone has 18 permits, 11 of which are in Cuminapanema and 7 in eastern Para. The CVRD (Companhia do Vale do Rio Doce) has 10 permits, 7 of which are located on the Xikrin Indian reserve, near the Carajas mineral

reserve. The Paranapanema group has 11 permits, mostly on the Nhamunda and Mapuera rivers between the states of Amazonas and Para.

The revelation of these data left both the delegates of FUNAI, Salomao Santos, and the regional director of the DNPM, Idimilson Mesquita, irritated. Seemingly surprised, neither of them could deny or confirm the denouncement, and showed a certain reticence to talk about the matter. They avoided any categorical declaration until they could conveniently make a check on their data. Salomao insisted that he had not made any pronouncement favorable to the authorization of research or mining in the indigenous areas under his jurisdiction. And Idimilson insisted that all of the processes that had been submitted to FUNAI were archived when they were returned from the tutelary agency with a negative opinion.

Because of its extreme gravity, the survey done by CONAGE and CEDI is worthy of extensive publicity. Recently, there was another scandal because of a similar denouncement: in October, the Offical Union Diary published 127 requests that had been authorized for mineral research in indigenous areas, but it was later clarified that there had been a bureaucratic error because it is legally impossible for the DNPM to simply reconsider requests that have been previously deferred. But doubt and distrust remained. Now, the authors of the survey have confirmed that there was no confusion whatsoever: the permits would really have been granted. Since the law has no provisions for this situation, the denouncement is worthy of an investigation accompanied by the attention of public opinion.

Although the ambiguity that occurred two months ago might be repeated (this possibility was denied by CONAGE and CEDI), the data at least clearly show corporate interest in the mineral potential of almost half of the total indiengous area of Para and Amapa. Multinationals, for example, have asked for 168 areas, distributed over more than 1.2 million hectares; leading the group is the Canadian company BRASCAN which has interests in over 1 million hectares (especially in the cassiterite of Nhamunda/Mapuera). Billiton, Rhodia, St. Joe, and Anglo-American are other foreign companies which are interested in minerals within indigenous territory.

State companies (with connections to CVRD) have 140 requests on over 1.1 million hectares, while national private companies have requested 183 areas, covering 1.3 million hectares. The companies with indentified capital have solicited 227 areas and 1.8 million hectares.

This is extrememly important information. On the one hand, Indians and all those who are interested in their problems must know that a good part of Indian lands are coveted by mining companies. On the other hand, miners already know that a significant portion of their requests are located in Indian territory. With these two points, which are conflicting in themselves, the question becomes of interest to all Brazilian society because it constitutes one of the fundamental directions in the process of occupation and (or) preservation of Amazonia.

Despite this problemmatic situation, geologists Elmer Prata Salomao and Romualdo Paes de Andrade have shown that the proposed legal antiproject defining a New Mineral Code deals with the question superficially and unsatisfactorily in one single article. Even in recent debates, Salomao Santos admitted that now even FUNAI has the capacity to act on the problem because until the present, it hasn't clarified its position on the matter. The picture, in short, has not advanced much since the times when General Custer hunted Indians in the Northern Plains of North America. Only the method has become more sophisticated, but the result is practically the same.

Short Notes

Catawba Indian Suit Reaches Supreme Court

On December 12 the Catawba Tribe of South Carolina had its day in the United States Supreme Court. The judges listened to oral arguments related to the petition filed by the State of South Carolina. The Catawbas are pursuing their ancient claim to 144,000 acres of land surrounding the city of Rock Hill, S.C.

The issue dates back to the Treaty of Augusta which was signed in 1763 and attended by all of the major Southern Indian nations. At that time, Great Britain set aside a ten mile square reservation which was to be home for the Catawbas for all time. As was always the case, white encroachments which caused the tribal land base to be limited in 1763 continued and even intensified. By the removal period, the Catawbas had leased nearly all of their land and eventually signed the Treaty of 1840 with South Carolina.

According to this Treaty, the Catawbas were to remove to the vicinity of the Cherokee Nation at the Qualla Boundary in North Carolina. By 1842 all but a handful of the Catawbas were in Swain County. South Carolina, however, neglected to have the Treaty of 1840 ratified by the U.S. Congress, and the North Carolina authorities refused to allow the Catawba refugees to remain among the Cherokees. By the 1850s most of the Catawbas had returned to South Carolina where they were forced to live as squatters.

Since 1840 the Catawba Tribe has struggled to force South Carolina to fulfill its treaty obligations. Several attempts were made to purchase land in the mountains of both South and North Carolina. Many families stayed in the Qualla Boundary, and others drifted off to Indian territory where they were accepted by the Choctaw and Chickasaw Nations. Others moved independently to Georgia, Tennessee, and Texas.

By the end of the 19th century, the Catawba Tribe, weary of fruitless negotiations, turned to the United States court system to appeal for justice. The Tribe, in spite of limited resources, hired lawyers and made attempts to settle the land claim in 1886, 1896, 1905, 1908, 1916, and 1928. Each attempt was easily thwarted by a state which predicted the extinction of the Catawba Tribe. For over a century, South Carolina refused to take the Catawba claim seriously.

All of this changed in 1976 when the Native American Rights Fund agreed to represent the Catawba Tribe. After several years of patiently seeking an equitable settlement, the Catawba Tribal Council filed in court to regain their 144,000 acre reservation, back rent, and damages. Since 1980 the case has been heard in several U.S. courts.

During the December hearing, the State of South Carolina contended that the Catawba Tribe of South Calolina lost all legal rights as American Indians in 1959 when the tribal members voted to divide their federally administered assets. In defending themselves, the Catawbas reminded the Court that they never abandoned their efforts to obtain justice regarding the Treaty of 1840. When the Catawbas ended their special relationship with the United States in 1959 it was merely in regards to the points enumerated in the 1943 "Memorandum of Understanding." The Catawbas also emphasized that during the division of tribal assets, they were repeatedly told by BIA officials that their ancient land claim would not be affected. In addition, the United States Congress, in allowing for the division of assets, did not mention the claim but purposefully left the issue open for later consideration. The Catawba Tribe contends that the State of South Carolina is still liable and has not fulfilled her treaty obligations solemnly promised at the 1763 Treaty of Augusta and the Treaty of 1840.

The State of South Carolina was represented by James D. St. Clair, a Boston lawyer. The Catawba Tribe of South Carolina was represented by Don Miller, a lawyer with the Native American Rights Fund. Also, the following Catawba tribal government representatives attended the oral arguments: Chief Gilbert Blue, Vice Chief Fred Sanders, Secretary/Treasurer Samuel Beck, and Committee men Carson Blue, Evans (Buck) George, Jr., Dewey Adams, and membership clerk, Roderick Beck.

The U.S. Supreme Court is expected to render a decision during the summer of 1986.

Thomas J. Blumer
642 A Street, N.E.
Washington, D.C. 20002

Columbia River Defense Project/Fund

1985 Annual Report

The Columbia River Defense Project was founded in 1982, to aid the defense of Indian families victimized by a politically-motivated undercover police operation. The federal government, along with the states of Oregon, Washington and Idaho attempted to imprison the men and women in the Columbia River Indian community who had been most active in the practice of their traditional religious and treaty rights. After three years, the near-100 cases have been resolved as an interim success. Although most of the cases were won by the Project, the hunters and fishermen who were convicted were sentenced to terms of up to five years in prison, with restrictions on their right to practice their religion. The convictions are currently on appeal, and are based upon the sovereignty of Native Nations under the Treaties of 1855. Amnesty International has become involved in these prosecutions, as observers.

As a result of the government's defeat in the criminal cases, the Interior Department issued widespread notices of eviction to Indian families living along the River. The community is resisting these attempts to remove all Indians from the shores of the Columbia, where they have lived for thousands of years. The Project has appealled the pending mass relocation.

In 1984, the government foreclosed on economic development loans that had been provided the fishing families. Without many days in which the Indians are allowed to fish, it has become impossible to repay the loans. As a result, the Project is helping the debtors protect their boats and fishing gear, which were used as collateral for the loans.

The Projects' board is made up of representatives and elders of the river community. They have mandated that the Project commence legal and political action in the following additional problem areas: (1) protection of burial and other religious sites, (2) police harassment which violates civil rights, (3) pollution of the river and poisoning of the fish, (4) lack of decent living conditions and safe housing, and (5) protection of Indian interests in the pending federal legislation to make the Columbia Gorge a federally-protected scenic area for tourism.

In addition to providing legal protection, the Project is involved in organizing support for treaty rights, both in Indian and non-Indian communities. Public education and media work have been very successful. Along with attorney Jack Schwartz and a part-time, part-volunteer legal group, the Project is staffed by Brad Buvinger in Portland and Arita Dave, inside the river community. We have also used the training services of the Seventh Generation Network and Tribal Sovereignty Program, in order to increase the strength of the traditional native infrastructure.

1985 was also a success in the relations between the river council and residents, and the neighboring Indian Tribes. The Yakima Nation is actively aiding the struggle on the river, and increased contacts have been made to the Umatilla, Nez Perce and Warm Springs reservation Indians.

The Project has worked inside of the legal system, by educating judges and lawyers in areas of Indian rights. We offer a brief bank and co-counselling services to attorneys who are unfamiliar with the distinct methodology of the representation of Indian people in the courts. We have trained law students to work towards the correct joinder of increasing the rights of the client while also strengthening the legal and political positions of the community as a unit.

Danger to the existence of the community is evident for 1986. The government is expected to make aggresive moves towards the destruction of the fishing based culture on the Columbnia. The Project is hampered by a lack of financial support with which the legal resistance is fueled. Most of the tasks requested of us cannot be acted upon, as our funding for litigation has dried up. In addition, we have been unable to locate journalists and editors outside of Oregon, who understand the importance of exposing the government's attacks upon our people. Without national media coverage, the United States is free to continue it's destructive programs. We understand that the limitations placed upon the treaty rights of Indians in the North-West will be used throughout the country if we cannot stop them in Oregon and Washington.

We can win. The continued existence of the native culture on the Columbia River will be determined in the coming year. We are gaining strength and support, but the resources of the federal and state governments are enormous.

Thank you for your continued support.
Columbia River Defense Project
P.O. Box 14044
Portland, OR 97214

Yellow Thunder Wins In Court

Special to The Guardian, Jan 26, 1986

Rapid City SD — Indians occupying "federal land" at Yellow Thunder Camp in the Black Hills 12 miles from here scored a landmark victory against the government last month when a U.S. District Court judge ruled the encampment could remain in place.

The ruling, by Judge Donald O'Brien, is expected to have a favorable impact on other Indian claims to land needed for RELIGIOUS purposes, legal observers say.

The ruling arose from a 5 year old U.S. Forest Service effort to evict Lakota Sioux activists from land in the Black Hills National Forest. The Forest Service had denied an Indian application for permission to use the land.

O'Brien ruled that Forest Service actions had "the effect of discriminating against Indians who are trying to practice their religion." He ordered the Forest Service to cooperate with camp members in an effort to draw up plans for the continuance of a religious community on the site.

Yellow Thunder Camp's main purpose, according to the court, is to provide "a site for the pursuit of the traditional Lakota spirituality, culture and community life within the sacred environment of the Black Hills."

As evidence of the Forest Service's discriminatory attitude toward Indians, the judge noted that out of 61 special-use permit applications, 58 had been approved and three denied. The approved permits were all for non-Indians; the denied permits were all for Indians. In addition, Black Hills National Forest Superintendent James Mathers could not remember any Indian permit applications being approved. The judge concluded that Mather's decision to deny a permit for the Yellow Thunder Camp was an abuse of discretion.

—Noel Webster (Guardian, 33 W 17th St, NYC 10011)

Oneida Groups Rejects BIA Elections

SYRACUSE, NY (IPN) — A group of more than two dozen Oneidas opposed to the establishment of a BIA government on their reservation near here criticized the BIA during a meeting last week for financially supporting and staging a tribal election.

Ray Halbritter, a spokesman for the group, said the BIA government would mean an easier settlement of 6 million-acre Oneida land claim. "They want a puppet government to sell off our land claim," he said.

In a scuffle during the Jan. 12 election, opposition members took the ballot boxes for a time. Dean White, BIA field representative in the area, said he feared "things might get out of hand," between the two opposing Oneida groups.

Low Ozone Found Above Antarctica

NEW YORK — Satellite observations have confirmed a progressive deterioration in the Earth's protective ozone layer above Antarctica, scientists say.

Each October, the data show a "hole" appears in the ozone layer there, scientist say, and each year the layer in that area becomes less able to shield the earth from damaging solar ultraviolet rays.

Since 1974, scientists have been predicting a gradual depletion of stratospheric ozone as a result of increased pollution of the atmosphere. The new data have persuaded some researchers that the ozone loss is proceeding much faster than expected. *(Source: Grand Forks Herald, 11-08-85)*

Short Notes

Trail of Tears Walk Set for March 1986

A walk to honor those Native Americans who suffered during the Trail of Tears and the Eastern Removal is being organized for this spring and summer. The trek will begin March 1st, 1986, at Fountainhead State Park near Eufaula, Oklahoma, and will wind through the southeastern states of Arkansas, Mississippi, Alabama and North Florida and Georgia before ending July 6th in the Red Clay/Rattlesnake Springs Area of Tennessee, where the Cherokees were herded for their forced marches.

"The walk will not only honor and include Cherokee, Chocktaw, Muskogee and other Indian people," says organizer Doug Alderson, a member of the Pine Arbor Muskogee tribal town in Blounstown, Florida, "People of all backgrounds will walk to symbolize a spiritual coming together of cultures and people." Unlike the forced marches of a century and a half ago, Alderson says that the walk will purposely travel from West to East to represent a symbolic return to the ancestral homelands, East being the direction of new beginnings, according to Native American tradition.

Another purpose of the walk is to avert a modern day Trail of Tears in the making. Over 10,000 traditional Navajo people and over 100 Hopi people are facing a forced government relocation effort from the Big Mountain Area of Arizona. Alderson walked through the area in 1984 as part of the cross-continential Walk for the Earth. "What we learned is that this is not really a conflict between the Navajo and Hopi elders who strongly oppose the relocation effort. The real culprit seems to be large energy corporations who are working through the federal government and non-traditional Hopi tribal government, supporting relocation in hopes that they can strip-mine the area for coal and uranium. This is the largest self-sufficient native population left in the lower 48 states. If they are forced to relocate to border towns and cities, their whole way of life is lost. It would be the Eastern Removals all over again." The walk will raise awareness about the Big Mountain issue, spreading petitions and urging people to write their congressmen.

The walk group of 10-20 persons will average 15 miles a day with one or more days off a week. A support vehicle will carry some of the group's gear and arrange for overnight camps. Each walker is paying their own way, contributing to a group food and support vehicle gas fund. Elders are welcome to join the group and ride in the support vehicle if necessary. No alcohol or drugs are allowed.

While the first month of the Walk may be cold, the last month (June) could be blistering hot. "Those people 150 years ago had much worse," says Alderson. "Thousands died along the way. Perhaps our steps and prayers can help heal some of those wounds and help prevent another Trail of Tears from happening."

Anyone intersted in joining or helping the Trail of Tears Walk should send a self-addressed stamped envelope to: Native Culture and Ecology Foundation, Inc., P.O. Box 2043, Tallahassee, Florida, 32316.

Native Vietnam Vets To Hold National Pow Wow

The 5th annual National Vietnam Veterans Pow-Wow will be held from May 24th to June 1st at Window Rock, Arizona. The pow-wow, which will be hosted by the Navajo Nation, will include a conference on the use of native traditional medicines and ceremonies as therapy for veterans.

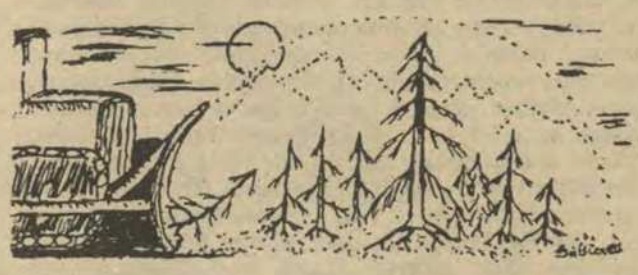
The pow-wow will have a program that gives recognition to veterans of all wars including WWI, WWII, Korea and Vietnam. Also included will be a rodeo, gourd dancing and traditional Navajo dancing.

For more information contact THomas Lynch at 602-871-5259.

The Vietnam Era Veterans Inter-Tribal Association also announced recently the formation of the Central Arizona Indian Vietnam Verterans Coalition in Phoenix, Arizona. The address is:

C.A.I.V.V.A.
P.O. Box 645
Phoenix, Arizona 85001

The Inter-Tribal Association is also trying to locate a place in Washington, D.C. to place a memorial plaque that would give recognition to native veterans. One possible site is next to the Vietnam Veterans Memorial near the Lincoln Memorial.



A People's Conference On The Fate Of Our Forests

Friday-Sunday, June 20-22, 1986
Slippery Rock University, Slippery Rock, Penn.

THE PROBLEM: Forests worldwide are disappearing at a virtually unimaginable rate. Obvious causes are greed, short-sightedness, and apparent blindness to the critical role of forests in balancing global ecologies upon which humans and millions of other species depend for survival. Forests are cut for fuelwood by peasants, logged for woodchips, destroyed for slash and burn agriculture, or cleared to support ecologically unsustainable practices such as sugar cane farming for ethanol manufacture or cattle grasslands to feed the American hamburger habit in the likes of Burger King restaurants.

Increasingly, deforestation has caused shifts in global weather patterns which, compounded by weakening from soil deminieralization and air pollution, have resulted in recent forest fires consuming millions of acres of timber from the (formerly) wet tropics to cold Montana. Forest in central Europe and Scandinavia now are "spontaneously" dying as a result of lethal effects of air pollution, a process we can also observe in the United States over all the regions for which our conference is called.

THE SOLUTION

The Earth Regeneration and Reforestation Assocation (TERRA) has invited about 1,000 groups worldwide to hold people's conferences in their own regions on the solstice weekend of June 20-22, 1986. Our conference will be held at the home of our co-sponsor, the ALTER Project, Slippery Rock University, Slippery Rock, PA. While our conference is open to all people, we will specifically address the forest concerns of the Mid-Atlantic, Mid-West, and North-East sections of the USA and contiguous southeasterly sections of Canada.

By holding many regional conferences, we achieve broader participation, develop strategies appropriate to local conditions, and keep down the confrence costs, especially transportation.

Joining our voices together on the same days, we will be better heard in our protest of destruction of the plant's green and our affirmation of Eath's innate beauty. Together we can achieve a spiritual power and a public relations force which can gain us the ears of our brothers and sisters. Joining hands in practical work on what is realistic in our respective regions, we can turn from planetary destruction to healing our Earth Mother.

OUR PURPOSES

WE have four purposes to calling this conference:

1. To draw public attention to the extent of forest death and decline and its consequences for people, especially within our regions.
2. To report to one another the state of the forests from the regions with which we are familiar and to place this information in thh context of the global trend.
3. To devise workable strategies for halting the decline of forests locally, as well as globally to the extent that our consumer habits support deforestation elsewhere. To futher make plans to implement these strategies and to being regeneration of the forests within our regions.
4. To come together for the celebration of the sacredness and joyousness of all life at the time of the summer solstice.

THE PLAN

FRIDAY NIGHT: Talks by two or three persons with particular insight into the state of the forests. Texts of these talks will be printed for the press. We invite everyone who has information, insights or feelings to share to submit her/his own paper, which we will place in a loose-leaf binder in the press room. Friday night is the only time for speeches.

SATURDAY: Saturday is to be devoted to discussion and definition of the state of the forests. We will draw our conclusions together in a public report Saturday afternoon. Process and format for workshops is being developed —input welcome. Saturday ngiht will be our celebration of the solstice, life and all coming together.

SUNDAY: Sunday we will develop strategies and plans for halting the destruction and healing the forests. There will be special time before the closing circle for each participant to pledge what she/he will undertake in the months to come. Networking will be encouraged, and ROBIN, a newsletter for bioregions of the American North-East will be available for further communications.

PARTICIPATION:

All are welcome to participate in the conference and to share their perceptions of the state of the forests and their solutions to forest decline. We will make availale to all proposals, papers, statements, poems, photographs and other communications from those who cannot attend, as well as from those conferences who feel they have a special message to place "on the record" before us all. These materials will be edited into the conference proceedings and proccedings of conferences world wide will be edited into one or more documents.

Children are welcome, and will hold their own forest conference, including such activities as forest walks, tree planting, and discussions. (Bring a healthy tree for the children to plant.)

Scholarships will be given as the funds are made available. However we cannot offer registration on a sliding scale as we have fixed expenses and no financial resources outside of the conference fees. To qualify for a scholarship, submit no more than one page of double-spaced, typed explanation of your financial need and why you would like to attend. Requests which conform to this format will be given first priority.

Contributions. If you can spare more than the registration fee, or if you cannot attend but would like to support the conference, please use the registration form to contribute what you can. We will use your money very efficiently.

CONTACT: Dan Hemenway, P.O.Box 202, Orange, MA 01364, USA, telephone (617)544-7810, for more conference details.

California Farmers Seek To Absorb Water Rights

The United States Congress stopped the U.S. Department of the Interior from giving a California farming district 150,000 acres of inexpensive federal water.

The Interior Department was to give the Wetlands Water District of Fresno, Calif. the water but was prevented from doing so when Congress demanded that such transfers be subject to its review.

The Wetlands District covers 650,000 acres and is largely owned by large corporations with much of the crops grown subsidized by the federal government. The district stands to make millions of dollars by purchasing the water for much less than it costs the federal government to deliver it.

U.S. Representative George Miller (D-Calif.) said, "It's a clear statement that there is not a lot of confidence in Interior's handling of the matter."

The Interior Department responded by agreeing to the Congressional review.

— Washington Post

Indian Doctors More People-Oriented, Study Says

BOSTON, MA (IPN) — A study comparing the medical practices of Indian and other minority physicians with those of white doctors has found that minority doctors more often provide care for poor and minority patients and set up practice in areas where medical services are scarce.

The study of over 2500 doctors who graduated from medical schools in 1975 also found that 55% of minority physicians are involved in the primary-care specialities of family-practice, internal medicine, pediatrics, or obstetrics-gynecology, compared with 6% of white doctors.

Researchers in the study wrote in the Dec. 12 issue of the New England Journal of Medicine that the "results should be encouraging to the advocates of affirmative action, regardless of which social objectives they consider most important."

LISTS / ANNOUNCEMENTS

● Grupo De Voluntarios De Petccion Al Aborigen; General Paz 1167; (1642) San Isidro-Bs. As.; Republica ARGENTINA.

● AIDESEP; Coordinadora de las Organizaciones Indigenas de la Cuenca Amazonia; Los Mogaburos 245-01-201; Lima 11-PERU.

● Central American Resource Center; POB 2327; Austin TX 78768; Directory of Central America Organizations, other books, info packs, speakers, legal services, etc.

● Corn Maya Project; POB 147; Indiantown FL 33456.

● Movimiento Coopertivista Guatemalteco (MCG); Apartado Postal 12-914-D.F.; 03000 MEXICO D.F.

● Honduras Information Center; One Summer St; Somerville MA 02143.

● Movimiento De Jouenes Indigenas De Guayana; c/o Jose G. Hernandez; # 8 Barrio Virgen del Valle; Cd. Bolivar Edo. Bolivar VENEZUELA.

● Latin American Working Group (LAWG); Box 2207 Station P; Toronto Ontario M5S 2T2 CANADA.

● INFORME Colombia; POB 1214; Cathedral Station; NY NY 10025.

● Survival International; 2121 Decatur Place NW; Washington DC 20008;(202)265-1077.

● Amnesty International; 304 West 58th St; NY NY 10019.

● CISPES U.S. Committee; Solidarity/El Salvador; POB 50139; Washington DC 20004.

● Inter-Religious Task Force/Central America; 475 Riverside Drive; NY NY 10115.

● National Sanctuary Defense FUND, Franciscan Friars of California; 1610 Bush St, San Francisco CA 94109.

● We Are Here Forever, Indians of the South, Southern Exposure Vol 13, #6, POB 531, Durham NC 27702, beautiful 112 pages of Native Americans in the southern U.S., poetry, stories, land rights, history, refugees, economies, current info.

● The Workbook, SW research & Info Center, POB 4524, Albuquerque NM 87106. MINING IN SW: Coal & the Reagan Era Giveaway; Strip Mining in San Juan Basin; includes organization list working on western coal policy; also book reviews on consumers, economies, energy, land use, worker safety, pollution & environment (Air Pollution, Acid Rain & Future of Forests, Sandra Postel, Washinton DC, Worldwatch Institute, 1984, 54 pgs, paperback), women in workplace, youth & aging.

● CENTRO CHITAKOLLA, Casilla 20212, Correo Central, La Paz BOLIVIA. Boletin Chitakolla, is a spanish Indigenous publication, it's concerns are educational and cultural, they also stress Indigenous languages and the following * are such Native Press in Bolivia. See page 21 Education in Bolivia, Pedro Portugal. Office: Centro Chitakolla, Calle Ingavi 1047, La Paz.

*Chimpuwara, Ivan Valeriano, Casilla 10363, Succursal 1, La Paz Bolivia; publication of Centro de Investigacion Tarwayu Marka, Research Centre, 1st issue February 1985, monthly, arts, culture.

*Jayma, Comision de promocion de la Lengua Aymara (COPLA), January 1985 issue #4, entirely Aymara language.

*Encuentro, Equipo interinstiucioncal de Educacion Popular, Boletin Encuentro, Casilla 6479, Correo Central, La Paz Bolivia; education, academic.

*Winaymarka, Casilla 20149, Correo Central, La Paz, Bolivia. Monthly, publication of Movement Tupac Katari-1, socio-political, #10 was March 1985.

● Hou Hawaiians, Vocational Farm Project, 550 Halekauwila #304, Hononlulu HI 96813, (808) 538-3511. Have projects on-going, land rights, cultural work, support needed.

● Iwalani Kaipaka, 135 S. Kuakini St., Hononlulu HI 96813. Thrown off land in Maui and Oahu, support needed.

● Annual Denver March Pow Wow, Denver Coliseum, E 46th Ave & Humboldt St, south side of I-70. Denver March Pow Wow Inc, POB 19178, Denver CO 80219, (303) 693-0442.

● North American Indian Athletic Association, 2nd Annual All Indian International Championship Basketball Tournament for Men and Women. Eufaula, Oklahoma March 27-29,'86 MARCH 15 DEADLINE to register your team; NAIAA Offices (908) 267-4674; POB 450, Beggs OK 74421. Also: The 1987 All Indian World Olympiad, Tulsa OK June 25-July 4, 1987.

● Hunger Action Center, 715 North Park Ave, Tucson AZ 85719. Hunger in Central America, original article by Peter Bourque in Spring 85 issue of Resource Center Bulletin, Albuquerque. Food Conspiracy, Co-op News Jan 86, same address above.

● Open Road, Box 6135, Station G, Vancouver B.C. V6R 4G5. Issue 18, spring 86, Wollaston Lake, Big Mtn.

● Informed Homebirth/Informed Birth & Parenting, POB 3675, Ann Arbor MI 48106 (313) 662-6857. 1986 Workshops, around the country from Feb-October. Maternal Health News, dec 85, vol 10 #4, POB 46563, Station G, Vancouver B.C. V6R 4G8.

● COLOMBIAN RELIEF, Volcano Victims; Rodrigo Arboleda Halaby sending planeloads of supplies from Miami; medical supplies (bandages, syringes, antitetanus vaccine, antibiotics), portable power plants, tents, clothes, canned foods & juices "with glucose". Boxes sent to: Colombian Relief, Tampa Airlines, Miami Internatonal Airport, Building C1001, 3200 NW 67th Ave, Miami FL 33166 (305) 526-6720, Marked: Foundation por La Paz, c/o Rosa Helena de Betancur. (FROM: TRANET, no 39, winter 85-86, Box 567, Rangeley ME 04970. Many more listings too numerous to mention, but: US/CANADA relations in book *Environmental Diplomacy*, Univ of Michigan Press, Ann Arbor. Many more on regional, international, alternative energy, farming, you name it.

● Second North American Bioregional Congress, 1986, Bioregional Project of New Life Farms, POB 129, Drury MO 65638, looking for co-sponsors.

● Utne Reader, 2732 W 43rd St, Minneapolis MN 55410; #14, Feb/March 86 has critiques on Bioregionalism, also reviews of new GREEN Party and Bioregion books; The New Catalyst, POB 99, Lillooet, B.C. V0K 1V0 Canada; vol 1/#2, Jan/Feb 86, whole issue devoted to Bioregionalism.

● Journal of Ethnic Studies, Western Wash. Univ, Bellingham WA 98225, Ward Churchill reviews Mike Castro's *Interpreting the Indian: 20th century poets & the nat. american;* Leslie Silko interview; Linda Hogan novel-in-progress; Mei-mei Berssenbrugge poems; Hispanic senators; Jewish West Side NYC.

Indians, Developer Reach Accord Over Burial Remains

PALM HARBOR, FLA (IPN) — Representatives of Indian groups have halted a construction project here and negotiated the right to investigate an Indian burial mound properly before construction continues.

American Indians Against Desecretion, a national Indian burial grounds protection organization, prevailed upon the Amerifirst Development Corp. to allow an Indian group 14 good weather days on the site to study ways to remove and rebury human remains. The mound, discovered in 1981, has yielded remains of .20 different bodies. American Indian Church spokesman Buck Ghost Horse said his group, one of eight interested in the case, was very encouraged by the cooperation of the developers, who have also agreed to place a marker on the site and turn over any other remains found in the digging later.

Contract Cancelled Over Racist Slurs

WINDOW ROCK, AZ (IPN) — The Navajo Tribe has been joined by the Mobil Oil Corporation in its conflict with a Colorado Company president who called Indians a "vanquished, inferior race" in a formal letter to the Office of Navajo Labor Relations.

Mobil cancelled its contract with the Customs Clearing House Co., of Denver, on request of the Navajo Tribe, which objected to racialist elements in Customs President Ronald Vertrees' letter. Vertrees' letter condemned the enactment of Navajos from companies doing business on the reservation. He stated he had directed company personnel to "terminate immediately any and all Navajos on our payroll and to hire no more Navajos."

AKWEKON #4, Dec 1985/Jan 1986. $7 (US) includes mail cost. 76 pages; poetry by Elizabeth Woody, RA Swanson; art by Carol Snow, Barry Maracle, Gary Knack; photo essay NIIPA, Tim Johnson; prose by Wilfred Pelletier; Attikamek comics; Coyote interview on Native education; Ray Young Bear's Woodland Drum; reviews, listings. DELAY due to printer's error, sorry.

AKWEKON #5, March 1986, 76 pages, poetry, prose, comics, reviews, listings, photos by Martin Loft, ceramics by David Migwans, Native Youth poetry & art. AKWEKON #6, June 1986, Co-op issue with Quebec writers, artists; Ontario Native arts & cultural groups; Native Youth poetry & art; please contact to reserve your Co-op space; we want NW coast, SW USA, Far North material.

AKWEKON SUBSCRIPTION: 1986
$20 (US) individual—4 issues
$25 (US) institution—4 issues

A National Native American Quarterly

Penobscot and Passamaquddy Land Considered for Nuclear Waste

BANGOR, ME (IPN) — Sites on the Penobscot and Passamaquody reservations near here are among the 3 New England and 12 national areas selected as possible locations for a second national high-level radioactive waste dump. The Energy Department selections were criticized by Maine congressional leaders.

A final decision on the highly-controversial site selection process is not expected until the 1990s.

Feds Appeal Alaska Oil Lease Sale Halted by Judge

BRISTOL BAY, AK (IPN) — The Reagan administration has requested an appeals court overturn an injuction granted the state of Alaska and Alaska Natives which halted an Interior Department oil lease auction of 5.6 million acres in southwest Alaska. Interior filed the request with the 9th U.S. Circuit Court of Appeals Jan. 15.

U.S. District Judge James Von der Heyd granted the injunction Jan. 13 on grounds that oil exploration subsequent to auction may disrupt traditional native hunting and fishing rights.

Alaska, along with several other coastal states, has joined the case against the oil lease auction. The issue of "states' rights" vis-a-vis the federal government has arisen in the case. Alaska claims its $1 millin annual fishing harvest in the area will be extractable oil and natural gas.

Former U.S. Rep Indicted in Bingo Contract

NEW ORLEANS, LA (IPN) — A former congressman has been indicted by a federal grand jury on charges that his group, Western Indian Resources Inc., bribed the chairman of the Chitimaca Indian tribe to win a bingo contract on the tribe's reservation in St. Mary's parish.

The three-count indictment also charges Richard Tonry with racketeering by conspiring and engaging in interstate travel.

Tonry's group is accused of bribing tribal chairman Larry Burgess with $25,000 to win the bingo contract and with making two illegal out-of-state trips to secure financing for the operation and approval from the Bureau of Indian Affairs. Burgess was indicted in October for allegedly accepting the bribe.

Tonry's indictment was originally handed down in November, but was sealed at the request of a judge handling the fraud and racketeering trial of Governor Edwin Blakes. Involved in that trial was Phillip Brooks who was thought to be connected to Tonry's bribery scheme. The judge sought to avoid prejudicing Brook's case. Brooks, who was acquitted, has not been named in Tonry's indictment.

If convicted, Tonry could receive a maximum 15-year-sentence and a $30,000 fine.

Mexican Americans Support Indian Walkers

EL PASO, TX (IPN) — The Texas Mexican American Democrats (MAD) have come out in support of a group of 15 Mexican Indians on a spiritual walk from Mexico City to Los Angeles. The Indian "longwalkers," who have been stopped by U.S. Immigration officials here, have walked 1,100 miles to the U.S. border. Only three in the group have international documents and INS officials are requesting a $1000 bond each for the members without papers.

"The Mexican American Democrats feel this is an issue that should involve all Hispanics," said Helen Clark, a spokeswoman for the El Paso MAD chapter. She stressed the importance of "the Indian as part of our American culture."

The Mexican community in El Paso has sponsored a fund raising drive, including a benefit meal and dance, on behalf of the Indian walk.

Hunbalz Men, a Mayan author among the "walkers," said the Indians are walking to convey the message of Cuauhtemoc, an Aztec chief who prophesized the Indian sun will rise again. Men said the Indian people will again fulfill their destiny as "culture-bearers for all the people of the world."

Book Review

Contra Terror in Nicaragua, Report of a Fact-finding Mission: September 1984-October 1985

by Reed Brody
South End Press, Boston, 1985
Review, (c) 1985, Ward Churchill

Reed Brody, a former Assistant Attorney General of the State of New York, has abandoned his establishment position to make a valuable contribution to our factual understanding of the nature and extent of U.S. terrorism in Central America. The results of an extended on-site investigation by its author, *Contra Terrorism in Nicaragua* is perhaps the single most comprehensive and informative examination of this crucial aspect of a very sordid situation available today.

Brody lays out a veritable chargesheet on the contras, providing an annotated chronology of every known assault upon Nicaraguan civilians undertaken by these U.S.-sponsored thugs from December 2, 1981 through November 30, 1984. That the mere listing of these crimes encompasses some 29 pages, and that the itemization includes none of the documented contra attacks upon Nicaraguan military targets, bespeaks much as to the scale and ferocity of the illegality involved in the contra terror campaign.

In a spare and non-polemical style, no doubt acquired through years of reading and preparing legal documents, Brody also offers the essential details of contra methods in a series of case studies drawn, apparently at random, from the overall chronology. Perhaps "exemplary atrocities" would be a more accurate and appropriate descriptor for what is actually revealed. In any event, the types of activity so dispassionately elaborated cluster themselves quite naturally into several categories of crime: assassinations of selected individuals, random murder, kidnapping/torture of specifically targetted individuals, mass kidnapping/forced relocation of groups (including entire villages along the Honduran border), methodical rape, intentional destruction of homes and public buildings, and the deliberate destruction of subsistence crops.

As with any good presecuting attorney, Brody is not content simply to catalogue the fact that certain crimes have been committed. Given acts must be attributed to specific perpetrators or groups of perpetrators. This the author sets forth to accomplish by profiling the various contra organizations — FDN, ARDE, MISURA and so on — as well as principle leaders such as Enrique Bermudez, Tono Lopez, Mike Lopez and Justiciano Perez; an FDN organizational chart is also provided.

Having covered the composition of the contra formations per se, and finding the organzations' higher echelons to be primarily made up of residue from Anastasio Samoza's neo-nazi *la Gardia Nationale*, Brody turns to an exposition of those who make the continuation of their ugly operations possible. Here, he quickly passes through the Reagan administration's "humanitarian aid," and the seamy CIA involvement which accompanies it, to take up the even more critical "private" funding and logistics conduits emanating from the U.S. ultra-right wing: the World Anti-Communist League, Refugee Relief International, Veterans of Foreign Wars, Civilian-Military Assistance, *Soldier of Fortune* magazine, the Institute for Regional and International Studies, etc. Individually profiled as complicit in this section are some of North America's most unsavory fascists, men of the sort represented by John Singlaub, Robert K. Brown, Alexander McColl and Alton Oschner, Jr.

Despite its obvious strengths, *Contra Terror in Nicaragua* is unlikely to be remembered as the definitive study of its subject matter, even for the period to which Brody's effort is necessarily restricted. One problem in this regard is that, having delineated the multifaceted character of contra organzation, the author is unable or unwilling to make the final linkages which would serve to draw his case together, ready for the figurative docket. With only a very few exceptions, he fails to tie the specific contra units he lists to the individual crimes he otherwise so meticulously records. In a way then we are left with a wealth of detail as to "who" and"what," but with little to show precisely how the two fit together.

A similar and possibly even more serious difficulty lies in Bordy's tendency to simply skip over untidy or inconvenient realities such as that the contras are not presently alone in exchanging shots with Nicaragua's Sandanista government. Although he does note that Brooklyn Rivera, head of MISURASATA (the representative political organization of the Atlantic Coast region's Miskito, Suma and Rama Indians) had refused to lead his group into a contra alliance — and should thus be sharply distinguished from Steadman Faggoth's MISURA, which *did* splinter off to join the contras — Brody pursues the matter no further. It would have proven of undeniable utility to the North American reader attempting to make sense of the complex and often mercurial context of armed struggle in northern Nicaragua had the author taken the time to explain that the MISURASATA Indians represent an autonomous third force in the area, resisting incursions into their territory by Sandanista and contra alike.

Such shortcomings were avoidable, at least in part. However, for the ground that it does cover, and the clear and systematic way in which it covers it, *Contra Terror in Nicaragua* must be assessed as an extremely important addition to the topical literature on U.S. convert operations. Reed Brody is to be sincerely thanked for having written this book, and South End Press did well to publish it.

KAHNAWAKE

A Mohawk Look At Canada And Adventures of Big John Canadian 1840-1919

Hardcover, 265 pages, with hundreds of photographs old and new. This new and unique book takes us through the history of the Mohawk people of Kahnawake and into the present. Traditional history merges into written history which in turn flows right into today. There is no anger here, just a straight forward look by a Mohawk (and aren't we noted as the pragmatic people?), with a little bit of kidding here and there throughout.

The hundreds of photos and drawings take us from when we were paddling and trapping in the fur trade to our fame as river pilots and our present skills in high steel construction. The story is told in short "Post scripts", as a matter of fact almost 47 of them, covering just about everything you might want to know about the Mohawks of Kahnawake.

For myself, it was a delight to slowly go through the photos after reading the text and finding my relatives scattered here and there. I was proud to find both my grandfathers, Peter Williams and Enthre Delisle, as well as my mother and my aunts and uncles in this book.

Of course I recommend it to one and all. Who knows, it may catch on and become book projects for other Native settlements.

Aroniawenrate/Peter Williams (Blue Cloud)

(Available at Akwesasne Notes Bookstore.)

A SHORT HISTORY OF KAHNAWAKE

Kahnawake traces its roots from the Mohawk village of Ossernenon on the banks of the Mohawk River in New York state. Ossernenon, or Kahnawake, as it was later called, was the Eastern Door of the Great Longhouse of the Five Nations. Travellers and hunters from this area re-asserted Iroquois rights along the St. Lawrence River by establishing an Indian community at Kentake, near Laprairie, Quebec, in 1667. In attempts to avoid direct contact with the expanding European population nearby, there followed successive upriver migrations in 1676, 1690 and 1696. Our present village dates from 1716. Kahnawake, in the Iroquois language, means "On The Rapids," referring to the adjacent Lachine Rapids. At the New York village of Kahnawake, it indicated a particular spot on the Mohawk River.

Kahnawake was a pillar of the Grand Council of the Five, later the Six Nations, until 1694, when it became a non-voting observer. It was later re-admitted to the Six Nations in the 1920's.

The Mohawks of Kahnawake have always maintained a sense of independence, constantly resisting absorption by the surrounding cultures. This free spirit stems from the days when we once defended our homes and livelihood from Mahican intruders in the Adirondack Mountains, and through the times of intense political pressures during the European wars in colonial America.

Our choice and manner of work in peaceful endeavors has also reflected this particular trait of individuality. Kahnawake possessed a formidable reputation as fur trappers and traders, emanating from its years in the Mohawk and Ohio Valleys, extending through the mid-1800's, when we were voyageurs for the North-West and the Hudson Bay's companies. The village served for a time as a clearing point for native furs destined for the great markets of Montreal and Albany. The Kahnawakes were known in the plains, forests and mountains of Saskatchewan, Alberta and British Columbia. Those remnants of our intrepid voyageurs who remained there, were eventually adopted by various Indian nations of the far west.

The expertise gained as voyageurs gave our village the necessary skills to excel in later occupations as lumbermen and pilots along the mighty river of Lower Canada. As the nature of river traffic changed, the contacts thus obtained through cargo handling of lumber and quarried building stone enable us to enter the high construction trade for which we seemed to have a natural skill and which seemed to offer another challenge to Mohawk daring. The accompanying completion ceremonies of the Great Victoria Bridge in the 1860's opened yet another avenue of occupation, that of entertainment. Many individuals and families were active show people as late as 1950. However, ironworking remains the single most important source of income today, although the attraction has diminished somewhat as modern technology removes much of the skill and courage demanded in former days.

Now the challenge is to find new means of diversified economies while yet maintaining the inborn respect for the land. The confidence in which Kahnawake faces this challenge is another aspect of its ability to lead the native community in education, self-government, and the adaption of traditional values to contemporary living.

—Kanienkehaka Raotitiohkwa Cultural Center

Guatemala Human Rights

Continued from page 11

the Chief of State and some of his cabinet ministers, who have heard their complaints about lack of attention to their appeals. They have been asked for proof and evidence of abuses, illegal arrests, kidnapping, torture and other acts committed against their loved ones and — as they have told the IACHR — knowing that they were turning over evidence that would jeopardize them personally and directly, at the risk of their own safety, they have given the names, description and characteristics of officials and other persons implicated in such actions. They explained that this information had been revealed to them secretly by friendly officials or family members that had seen the kidnapped persons alive in their secret places of imprisonment.

In the face of so much evidence made public, the Government of General Oscar Humberto Mejia Victores ordered the establishment of a high level commission to hear all of the complaints, testimony and declarations submitted. The Commission, known as the "Tripartite Commission" was composed of representatives of three sectors: the Ministry of Defense, the Ministry of the Interior and the Attorney General's office.

Several months after it was established, the Tripartite commission informed the Chief of State of its findings. The GAM has publicly expressed its frustration, disappointment and disagreement with the findings in the Tripartite Commission's report, which denies the existence of secret prisons, rejects the charge that missing persons are imprisoned by the seucrity forces, and claims that there is not enough information on Guatemalans who have emigrated to Mexico to determine whether the missing persons are among them. The GAM repeats its conviction that its loved ones are imprisoned somewhere in the country, promises to continue its struggle until their family members reappear safe and sound, indignantly rejects the report, and asserts tht the GAM has again been the victim of coverup, deceit and falsity. It denies the accusation that it has not cooperated with the government, and asserts that it has given every kind of confidential details, including the name of the kidnappers, the places of detention, identification of vehicles, and detailed descriptions in each case.

In an interview with the IACHR Special Commission during its on-site visit, the GAM, presided over by Ms. Nineth Montenegro de Garcia, wife of the missing labor leader Edgar Fernando Garcia, submitted a list of 457 missing persons, with respect to whom the IACHR has requested the Guatemalan government to conduct a special investigation.

Regarding the document containing the findings of the investigation conducted by the Tripartite Commission, the IACHR, which recognizes the nature of the evidence provided by the GAM, considers that a genuine investigation has not been conducted, because of not all, at least some of the cases submitted could have been immediately cleared up, particularly those where the names of officers and identification numbers of official vehicles taking part in the kidnapping were submitted. Even when the complaints are about specific cases, the Tripartitie Commission's report is vague. That explains why the Special Commission, aware of the nature of the report, recommended that the Chief of State assign that task to an **ad hoc** magistrate whose independence and reputation are above suspicion.

The GAM was carryng out its activities normally in spite of constant threats of death against its leaders until March 14, 1985, when in an official ceremony at the military base of the Department of Jutiapa, which was carried on television, the Chief of State, General Oscar Humberto Mejia Victores, made certain allegations that the GAM was being manipulated by subversion and by an international group and that, in that context, its efforts to have the missing persons reappear alive was a subversive act and steps would be taken to counteract it.

Immediately after these statements, the GAM began to be seriously harassed. Its members began to be followed by State security agents. Death threats by telephone and in writing against its leaders increased. On the night of March 16, DIT members appeared at the home of Angle Edulfo Reyes to seize him, but they did not succeed because he was not there at the time. Two weeks after the statements of the Chief of State, the first extrajudicial execution of one of the GAM members occurred. On March 30, Hector Orlando Gomez Calito, a baker, was seized in public at the corner of Third Avenue and Twentieth Street in Zone 1 of the capital, as he was leaving a GAM meeting and was preparing to get on an out-of-town bus to Amatitlan where he lived. Two days later, his body was found bound hand and foot at kilometer 27 on the highway to the Pacific.

A few days later, on April 4, the disappearance of an entire family of a GAM leader was reported, and they were later found dead under strange circumstances. In fact, at mid-day on Thursday the fourth, the day before Holy Friday, Professor Maria del Rosario Godoy Aldana de Cuevas, accompanied by her three year old son, and her twenty-one year old brother Rene Godoy Aldana, left their home in Zone 13 of Guatemala City in a stationwagon to buy food and supplies in the supermarket "Centro Comercial Montufar" in Zone 9. When they did not return and were not heard from, the family reported their disappearance to the DIT. On the following day, the bodies of the three were found at the bottom of a ravine at kilometer 19 of the highway to Villa Canales. The National Police called their death a traffic accident.

As a result of this campaign of violence against the GAM, the number of their leaders had been reduced by the deaths mentioned, and others, terrorized by the continuous threats, harassment and persecution, have chose to flee abroad, so the Commission has requested special guarantees and protection for the organization's leaders.

(End of Part I)

Source: INDIAN LAW RESOURCE CENTER, 601 E. Street, Southeast, Washington, DC 20003 phone (202) 547-2800

Aboriginal Hunting & Trapping

Continued from page 15

It is possible that offices have national campaigns. That means that Greenpeace Internationalist (GPInt) is not always backing these actions. GPInt have just decided the GP United Kingdom must stop their national anti-fur campaign, what is announced to the press some days before Animalday. On the 4th of October, Animalday, the European antifur actiongroups announced more actions.

Many times GP is mentioned in one line with the anti-fur organizations. GP tries to avoid this but that is sometimes hard.

Greenpeace now has offices in the USA, Canada, Australia, New Zealand, United Kingdom, France, Spain, West Germany, Denmark, Sweden, Switzerland, Austria and The Netherlands.

In January 1983 I left GPNL and the WIP and started to work as offices manager of Greenpeace-Denmark (GPDK). In March 1984 I left Greenpeace. Nowadays I am unemployed and do some voluntary work for Greenpeace as a consultant on Indigenous affairs. During the time I worked for GP I was also responsible for the contacts and the visits, regarding the campaign against the commercial sealing by Canada, Norway and Russia, towards the European Parliament (EP), - commission, and -council of ministers. All the time, right from the start of my work for GP, and during my visits to the EP in Straatsburg, the EEC commission, and council of ministers in Brussels, I explained the differences between the sealhunt of the Inuit in Greenland, the Indigenous people in the Arctic and sub-Arctic in general and the commercial sealing. I also mentioned this as much as possible to the press.

I thought it would be good first to write to you about my background. Now I am free of the WIP and GP, by that way it is a little easier to give you my personal opinion.

As mentioned at the moment I am only a consultant to Greenpeace regarding Indigneous affairs and I try to work as a freelance journalist. I wrote to many of you for information and answers to some questions, mainly regarding the sealhunt and the presentation to the Canadian "Royal Commission on Seals and the Sealing Industry" (CRCSSI). I got a lot of information from both sides of the Ocean in that way.

After the rediscovery of the "Americas", my people "the white men" have asked you for centuries to trap or hunt foxes, seals, etc. and have thus changed your cultures. Now "the white" start to realize that he has overharvested or is still overharvesting the animals in the Arctic, sub-Arctic, everywhere in this world. Slowly we find out that hunting is not the right way to regulate a population. Nature regulates itself.

We can discuss how many seals of each species there are, for example 3 million harpseals or 1 million, we do not know, but one thing we know, we as humans are not able to rule nature.

Nowadays the government and industry put sealers of New Foundland - Canadian fisherman - on one line with you, the first nations of Canada. This is ridiculous!

The indigenous nations of the Arctic and sub-Arctic have the first right, if you can speak about owning the land.

In my opinion, after the many years of action by the different environmental and animal welfare organizations and for over ten years existing importban for the USA, the Canadian government and fur industry could expect to get sanctions by other nations or communities such as the European Economical Community (EEC). The EEC had no other possibility, because the Canadian (Norwegian and Russian) government permitted the fur industries to continue the harvesting of more than 300,000 sealpups annually. These actions were against the continuing mismanagement of nature by the Canadian fur industries and government, the same who are playing around with you and your land for their own interest as they have done for centuries. This doesn't only concern the fur trade in your area, but also the resources in your land.

You have seen that by the change of the Canadian consitution. If the industry and governments had not only looked for their own benefit and had stopped the commercial sealing in time, as requested by mankind, we would not have the discussion of who has harmed you. Then you would have been the only one on the market and still able to sell your skins. The government and industry are harming and misusing your interests as many times before. What they want the world to believe is a distortion of the facts.

You can not refer to the point that this industry is over 400 years old and now comes to an end. There is a very big difference for example between the sealing today and 400 years ago. The number of seals you catch is nothing compared to the commercial sealing. Besides that it makes quite a difference for an animal population to harvest pups only for the skin, or to harvest seals one year aged or over for meat and sell the skins, which yourself do not use. This is acceptable to me if the number of hunted animals do not rise.

But to be honest, yur hunt and life has also changed. Nowadays you are using fast boats, nets, rifles, and not kajaks and harpoons anymore. You live in houses and not in tents or iglo's, besides exceptions of course. That is totally understandable. And of course you are making mistakes as well, from which we can learn every day like everyone else, but is is quite wrong to focus on small mistakes and do not look at, or like to look at the big ones like overharvesting nature. Also, the population of mankind, everywhere in this world, is much bigger compared to the past, which means that we can not live from natural resources only.

I will take the liberty to give my point of view on the arguments which are used for continuing the commercial sealing and fur harvesting in general. I do not give you a very detailed opinion, because I will concentrate on the betrayal of your people by the governments and industries. By giving my point of view you get a better impression of my thoughts. I think:

-there is no need to hunt seals or animals in general, by western society, Japan, etc. for commercial reasons only;

-the way of hunting, cruel or not, on seals or by use of traps is not the main reason for me to be against hunt;

-it is a pity that there is no representative of the Indigenous nations in the Royal Commission.

-talking about restrictions to (commercial) hunt there must be an exception for the original inhabitants, the so-called "Indigenous nations", who are dependent of the hunt and living close to nature to hunt when they need to, except for animals who are threatened or when the amount of hunted animals is not rising.

-the governments of the former colonial areas, which nowadays has taken the right to make laws and regulations, must consult the first nations, before they make a law or regulation to protect the animals or nature in general and give priority to their opinion.

-we can not compare the hunt on animal populations, which are living free in nature, with animals which are farmed such as cows, pigs, chickens, foxes, minks. The farmed animals are a population which is under full control.

-I put a mark to the fact that western society needs all the products from the hunt and the farms.

-it is no argument to hunt, because there should be too many seals. We can not judge what is 'too many' and what is 'too few' of a population. We do not know the size of the population so we must give the animals the advantage of the doubt.

This also counts for the assertion that seals are eating too much fish. The western society, Japan, etc. is responsible for overfishing. also it is not the seals that brings parasites to fish. To the contrary the seals are the ones taking care of the health of the fish stock.

-we should not forget the consequences of the population and their consistency for the population beside the climate fluctuations and the other natural threats to the animals.

We have changed your way of life and way of hunting. That means that we the Europeans, as the former colonialists, the governments and the industries, have obligations to you.

We can talk about the past, we can learn from it, but we must look at the future. Together we must find a way out. I am aware that the animal rights activists are just at the start of their antifur campaign. It is our task, together, to educate the people in Europe, the Americas, etc. and let them know that we can not continue the way we are using this Earth. This does not mean we must go back to the past or the stone age.

First you founded ICC (Inuit Circumpolar Conference) and last year ISI (Indigenous Survival International).

I hope -by taking the liberty to give you my opinion- you understand that there are not only animal right activists in Europe. You already started the dialogue with Greenpeace and I hope you will continue this dialogue.

I hope Greenpeace is not used as a red herring by the fur industries and the governments.

I would like to write to you much more, but I will stop now. Thank you for the time you have taken to read myu letter and I would be very pleased if you would be able to respond to it.

All the best and love,

Govert de Groot

(P.O Box 13670, 2501 ER the Hague. The Netherlands)

From Our Bookstore

New Books Available from Our Bookstore:

THE WHITE ROOTS OF PEACE, by Paul A. Wallace. Chauncy Press, ISBN 0-918517-04-4, 5½ X 8½, softbound, 88 pgs, new 1985 edition with prologue by John Mohawk and epilogue by Dennis Banks, artwork by John Kahionhes Fadden. A classic since it's first edition in 1946 that has helped bring to light the teachings of the Great Law of Peace and the founding priniciples of the Iroquois Confederacy, the world's first United Nations based in democratic ideals. Price: $8.95 paperback and $12.95 hardcover.

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LETTERS TO THE EDITORS

Land Bridge or Mind Bridge?

Sehkon! Senegoa?

In the Fall 1985 issue of NOTES, on p. 31, there is a letter from Ramzadin N. Abdullah of Folsom Prison who says, "All I am familiar with from my historical studies is that all Indians, actually all people, came originally from Asia, being thus the Asiatic peoples of Peru, Egypt, ect. travelled or migrated to the so-called New World bringing along their inherent agricultural farming, architectual skills, thus great cultivation know-how & the construction of great temples, Pyramids, etc. of the Aztecs, Incas, etc."

In your reply you said, "Historians, and especially anthropologists, usually not natives of this continent, have tried for years to prove that the Native American Indian migrated from Siberia. He has not been able to prove it because it is not so. We know where we come from, and believe us, it is right here on this continent. The anthros will never be able to say, "See, they didn't really come from here either. That is what they wish and the reason they need it is to justify the on-going land stealing and destruction of our nation."

I donated my back files of AKWESASNE NOTES to the library of the American Indian Community House here in New York City, so I can't give you the exact date and title, but some years back, around 1972 I think, Jack Forbes wrote an article on Machiavellianism in which he stated that, if we adopted the white man's tactics, we might be able to overcome him, but it would be an empty victory because we would end up being no better than he is. You, my friend, are a perfect example of what he meant! You choose to ignore mountains of evidence in order to prove a prior lien on the land. Why? Do you really think we have the chance of a snowball in Hell of getting it back that way?

First of all, I do think we have a prior lien, but it is from getting here first, not from originating here. To insist and maintain that we originated here, in the face of mountains of evidence that says that NO ONE could have originated here, is a prime example of the intellectual dishonesty that Jack Forbes was referring to when he wrote his article on Machiavellianism.

What are these mountains of evidence I refer to? Well, to begin with, mountains of ice! Yes, I said ice! I refer to the ice that covered the North American continent during the so-called "Wisconsin" ice age, in some places to a depth of TWO MILES! Please explain to me how we originiated on top of all that ice?

I would like to quote from an article titled "The Bering Strait Land Bridge" by William G. Haag in the January, 1962 issue of Scientific American. "By evidence it has been determined that the Wisconsin glacier reached its maximum 40,000 years ago and lowered the sea level by as much as 460 feet. As the glacier grew and the oceans receded, an ever broader highway was revealed at the Bering Strait. With a sea-level fall of only 150 feet, the bridge connecting the two continents must have been nearly 200 miles wide. Because the slope of the sea floor is so gentle, a further fall in the sea level uncovered much larger regions. At 450 feet the entire width of the undersea plain must have been exposed, *providing a corridor 1,300 miles wide for the flow of biological commerce between the no longer separate continents.*" (My emphasis!)

"But," you may say, "why wasn't the bridge covered with ice?" I quote further "Because the maximum exposure of the land bridge necessarily coincided with a maximum of glaciation, one might think the bridge would have been blocked by ice. Geological evidence show, however, that neither the Chukchi Peninsula in Siberia nor the westward-reaching Seward Peninsula of Alaska were glaciated during the Wisconsin period. Even large areas of central Alaska remained ice-free throughout the period."

I should also point out that the "flow of biological commerce" referred to above included not only men and animals but plant life as well. There was plenty of time! The ice age lasted more than 30,000 years!

The obvious scenario is that those who migrated did not remain in Alaska but followed the ice-free fringe along the coast in a southward direction, eventually reaching Central America. Here the forerunners of the ancient Maya and Inca civilizations had their beginnings. And, when the ice-cap began to melt and recede, the "Indians" migrated northward and populated the continent. All evidence points to this migration of people and culture in a northerly direction.

Letters like mine sometimes end with phrases such as, "You haven't got the guts to print my letter!" Well, I hope you do have the guts to print it because, if you do, I will know that we have NOT succumbed to the white man's Machiavellianism! May our Elder Brothers, the Bedegi-ak (the Thunders) guide you!

Ha, dani-toll!
Charles E. Colcord,
Penobscot-Passamaquoddy
Nat'l Assoc. of Metis Indians
New York City Chapter
150 West 96th Street, Apt. 11-B
New York, N.Y. 10025

(We print the letter in hopes of a response from Native researchers. Friend, you also refute the beliefs of most of our traditional people. Aroniawenrate.)

(Yo, Charley, as an old friend of NOTES, you deserve an answer, until we get more letters from Native researchers and others who may have current info. First of all, your source for the Land-bridge pre-dates all the current info that pushes back inhabitation of the Americas from 20,000 to 50,000 years; we feel that further study will push the date back farther to 75,000 to 100,000 years. So, 75,000 years is enough time to say "We came from here".

Current study also points to a Diffusionist Theory, meaning the Land Bridge was only one route. Diffusionism (another Theory, that says Pacific people hit the Americas by boat in wave after wave) says to me, that while traffic from west & south & east came here (incoming), it could've also travelled the other way (including the Land-Bridge). Interested people should read "American Genesis", a controversial book on inhabitation says America provided it's own difusionist waves as outgoing.

Finally, there is the question of professionalism and careerism of the 'dominant culture/society' that seeks to maintain it's dominance in all matters. Indians don't give a damn about what these professionals and amateurs say with their theories. You and I are both right in that we have prior lien, whether it comes from getting here first or being here first, doesn't matter much. Science is similar to many professions in an establishment fighting off rebels and critical thinkers; cultural and professional imperatives define what is accepted and what is rejected. Past research has only served to justify colonialism, genocide and all the nasty 'isms perpetrated against Indigenous peoples. Inferiority is stamped on Indigenous peoples in many ways and superiority is reserved for the civilized. Yet, there are good people who do not toe the establishment line; and all kinds of study points to ways that Indigenous people are clearly superior, having lived thousands of years in what appears to be wilderness or marginal lands. Look what has happened to great people like Copernicus, Galileo, Albert Einstein, Robert Oppenheimer, to name just a few who were persecuted for beliefs.

All this will not get our land back, and we do not want back land full of cancer, poison and dangerous people. Time will return the land back to The People, not just Indians and Indigenous people. Time shows we have been here "forever", time should find us back again where we belong. The educated new inhabitants will have to learn from Indigenous people in a true exchange, so that all People will return to the Land, as Creator's Original Instructions tell us. Karoniaktatie.)

LANGUAGE

Greetings, thank you for the newspaper and hurray for the Mohawk Immersion Program at the Freedom School. I am a student and teacher of languages, and hope to see such programs implemented all over...

I especially feel that many white American children need similar immersion programs with other peoples' languages, so that they may begin to be free of their parents' egocentric world view. They must learn and understand in their hearts that there are other ways of thinking, other ways of seeing the world, other words which English does not have -words which carry with them a whole way of life brought down from the ancestors and hopefully passed on to the grandchildren.

Through knowing the "other" better, the folks will be led back to themselves, and to the sameness of it all. People are people after all, regardless of language. Communication skills will grow. We must provide our children and grandchildren with these skills.

I look forward to learning about how the program progresses and hope to help as I can.

Much love & good wishes,
Betsy Rodman
c/o Barbara Perry

Pit River Indian Land Claim Dispute

Dear Akwesasne Notes,

I write in response to "The Pit River Indian Land Claim Dispute in Northern California," Early Winter 1985 issue. Having just graduated from law school, I am no expert, but want to share an idea that may be of use.

I was sickened by the 1963 "compromise agreement" entered into by Louis Phelps without the consent of the people of Pit River. My idea is about how to prevent such occurrences in the future. I doubt the Pit River people can use it for the 1963 problem because 23 years have passed and any applicable statutes of limitation have probably run, i.e., it's too late to sue.

A lawyer has a clear duty never to accept a settlement offer without his client's consent. The American Bar Association's Model Code of Professional Responsibility states that

> In certain areas of legal representation not affecting the merits of the cause or substantially prejudicing the rights of a client, a lawyer is entitled to make decisions on his own. But otherwise the authority to make decisions is exclusively that of the client, and, if made within the framework of the law, such decisions are binding on his lawyer. As typical examples in civil cases, it is for a client to decide whether he will accept a settlement offer or whether he will waive his right to plead an affirmative defense.
>
> Ethical Consideration 7-7.

The Model Code has been adopted by state courts in all fifty states. In New Jersey and Arizona, the new Model Rules supercede the Code. The Rules provide that "A lawyer shall abide by a client's decision concerning the objectives of representation... A lawyer shall abide by a client's decision whether to accept an offer of settlement of a matter." Rule 1.2(a).

Even before the Code and the Rules, the accepted wisdom of the profession was that settlement decisions are for the client. The Code and the Rules are part of the machinery set up after Watergate, in the wake of public hue and cry about lawyers' ethics. The machinery is designed to keep outsiders from regulating the profession; the ABA can point to the Code and Rules, which are now part of the required curriculum in many law schools, and claim that the public is protected. Unfortunately, clients can't sue breaching lawyers directly under the Code and the Rules. Instead, clients must complain to the disciplinary board set up in a state to handle such matters. The decision whether to punish the lawyer rests with the board.

A bleak picture, considering the Establishment's general record towards native people's complaints. However, I believe wronged clients can indirectly use the Code and Rules against their misbehaving lawyers, in suits from malpractice. The standard widely used to decide whether a lawyer has commmitted malpractice is whether he exercised the ordinary reasonable skill and knowledge of his profession. *E.g., Byrnes v. Palmer*, 18 App. Div. 1, 45 N.Y. supp. 479 (1897), *aff'd without opinion*, 160 N.Y. 699, 55 N.E. (1899).

The Code and Rules impose a duty that has been adopted by the courts of every state. That is pretty solid proof of a generalized standard. In order to graduate from an ABA-accredited law school, a lawyer must complete a course on the Code and Rules. Some jurisdictions test knowledge of the Code and Rules as part of their bar exams, which lawyers must pass before practicing. Therefore knowledge of the duty to accept a client's orders regarding settlement is fast becoming, if it was not already, part of the ordinary knowledge of the profession.

Lawyers could try to duck liability by claiming ambiguity about who exactly the client was - i.e. that they *were* following the wishes of whom they believed was the cleint. To protect against deliberate actions taken without consent, as well as well-meaning actions taken because of a breakdown in communications, I suggest directly discussing the client's identity with the lawyer. That agreement should be written down and signed, clearly stating the client's identity. The agreement should be followed. Keep the chain of authority clear in your communications with the lawyer, so that he cannot claim the written agreement was altered by your course of conduct after the agreement was signed.

If your lawyer tries to railroad a settlement without your consent, you can then point out the written agreement and display your familiarity with what I've explained. The threat of malpractice, of *personal responsibility*, may prevent the abuse.

Malpractice suits are not the best weapons against malpractice. Trusting you intuition and praying for guidance seem to me better protection than reliance on the legal system of the United States. But a malpractice suit is one more sword to add to your arsenal. I can't guarantee that myor financially supporting and staging a tribal election.

Walk in peace,
Amy Skezas

UNITED TRIBES CULTURAL GROUP

To the Editors;

Sekon!

My recent (letter of October 85) on behalf of the United Tribes Culture Group here at U.S.P. Leavenworth, describing various harassment techniques, and religious rights violations, may be cancelled.

As of Saturday, November 21, 1985, Gilbert and Ellen Nichols were approved and entered the prison for a meeting. Now Chaplain Craig has advised us that Chief Archie Fire Lame Deer will be permitted to enter for sweat lodge ceremony in December.

Based on these approvals, and about face in attitudes by the prison administration, we feel it is not necessary at this time for that letter to be printed.

We will keep you updated on these issues as time goes by. Leonard is well and sends his love, and with that we all send our love and gratitude for your continous dedication to provide a voice for the people.

May the Creator continue to bless you with strength and beauty.

Niawen-Kowa
John Papineau, 05893-016
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Leavenworth, KS 66048

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CAPELTHWAITE

Dear Friends,

I feel the need to respond to the letter from Megan Capelthwaite, printed in your Fall 1985 issue.

I fully agree with the point she raises concerning the native European peoples, and the injustice done by casting blame on these people as a group. However, it is also unjust to cast the same blame on Judeo Christians as a group. There is no call in today's strife torn world to malign any people as if all their factions and individuals were the same. Judeo Christians, among many others, have done some good as well as evil in the world. We must all take care to keep our minds open, and not make broad generalizations. No group is without faults and fools, or without beauty and good.

Peace to you all,
Christina Arminger
Baltimore, MD.

Dear Notes,

In response to Megan Capelthwaite letter. After reading this letter I understood it, appreciated the reminder that the white peoples are tribes, and tended to agree with the fact that corruption was spread through the Judeo Christian tradition; however it offended me. It is so difficult to write precisely so as not to inadvertently injure another by insulting their beliefs. This sickness we all seem to be talking about exhibits itself in individuals conscious or unconscious of their incorrect thoughts and actions; greedy and self centered. These individuals have no lineage except corruption and abuse whatever position is adventageous. This often has the effect of shifting the focus away from themselves. Perhaps to say corrupted peoples instead of a specific race or culture is a clearer, less injurious description.

To say "that it is not the white mans way that is the enemy but the way of the Judeo Christinized white man and his "isms" concepts" and "ideologies based on artifical and anti-natural books from the Bible to the communist maifesto" is very misleading. It is also unwise to criticize a sacred teachings of a peoples before one had comprehended the meaning within. One must begin to realize that the teachings have always applied to the times. Jesus could not have been effective in that time and culture if he was a woman.

The old testament Bible is a historical document of barbaric times including teachings given to those peoples to guide them out of their sick ways. Who could argue with the Sermon on the Mount as good tips on how to live a saner life. The Bible shows the corruption and the way to correction, each must choose their own path.

The message of the Bible can be found in many ways. The word used the greatest number of times is love. We can see the growth in this history. Jesus came as a teacher into that culture because of its impurity and need for revision and so the New Testament arose. His teachings were so on the mark that it became necessary for established perverted peoples in the the Judeo Christian tradition to begin to twist and censure them quickly in order to maintain control.

Yet the truth is in every tradition no matter how archatic or barbaric it seems to us in the future. Should we deny the higher teachings, the inner knowledge that shines through the immaturity of humanity? Yes Judeo Christian corruption is incorrect, but many still become enlightened from the truth in its teachings. If one wants to learn, desires purity of heart the message is clear. It is the active desire for purity which gives one the sight to see through the distortions.

There will always be great misconceptions as we raise the mind of humanity to a purer state. We can go on forever pointing the finger at another culture or person while ignoring the fact that we ourselves have not attained a purer state. The people themselves are responsibile for corruption to the degree that they themselves are corrupted. Anyone who has ever tried to purify themselves can respect how hard it can be to live ones ideals.

In all sacred teachings is the golden thread. This thread is the time honored and tested teachings which are common to all lineages, times and levels of development. It is this thread with which the world must begin to weave the new tapestry of teachings. By picking up this fiber of love we begin to see we are all alike, striving towards the same direction. As we weave we will begin to raise consciousness and see further future growth. So let us weave this tapestry of peace together.

Sincerely,
Laura Apostolov

U.N. 4th SESSION/INDIGENOUS POPULATIONS

Dear Editor:

Thank you for the detailed and accurate report on the *United Nations' 4th Session of the Working Group on Indigenous Populations* (p.15, Fall 1985, Vol. 17, No. 5), in which I participated on behalf of Indigenous World Association, a non-governmental organization with consultative U.N. status. The other part of this article (p.14) reporting on the pre-working group meeting, 22-26 July, was also useful and informative especially since I was not present. Our organization did subsequently endorse the Declaration of Principles which emerged from the meeting.

I would like to question assertions made in the final paragraph of the report on the pre-meeting (p.14) regarding the special training course held for two weeks prior to the U.N. official meeting, a course which, as is pointed out in the report, overlapped a portion of the pre-meeting. I wish to do so, since the observations about this special session are cut short with a promise to "discuss the problem of the training course more fully in a later memorandum."

Though I was not a member of the organizing group for the special training session this year, I did participate in the origins of the annual course which began being organized in August 1983, during the second session of the U.N. Working Group on Indigenous Populations. The first course, of one month's duration, took place at Strasbourg, France, within the course on international human rights law organized annually by the International Human Rights Institute. There were valid complaints by the indigenous participants in the first course concerning the duration, venue, lack of funding for travel, and the brevity of the daily sessions. (Participants were expected to attend the classes of the Institute, which most did not find useful.)

The organizers of the second course, which included indigenous participants from the first course, attempted to correct some of these problems for the second session by locating the training course near Geneva, shortening the length of it and expanding the classes to full day and some evenings. They also raised funds for travel expenses.

With that as background, I would like to clarify some of the questions and allegations made in your report about the special session. First, the characterization, "a separate training course was conducted by others which conflicted..." makes it sound like an intentionally disruptive activity, conducted by alien elements. Actually the session was in planning and announced a year in advance, long before the pre-meeting was even conceived. I am certain that at least the core organizers of the pre-meeting were aware of this since it was discussed at the 1984 session of the Working Group in Geneva. It should also be mentioned that the organizing group are individuals very well known to the indigenous community, and included indigenous representatives (International Indian Treaty Council, World Council of Indigenous Peoples, Sami Nordic Council, Aboriginal National Council) and included Augusto Williemsen-Diaz, recently retired from the U.N. secretariat and actual author of the U.N. Study on Indigenous Populations; Asjborn Eide, former chair of the Working Group on Indigenous Populations in its first two sessions, and Paraguayan lawyer, Esther Prieto, who works with Indian peoples' land rights in the South American cone, and author of the World Council of Churches' Indian land rights study. These individuals are hardly "others".

The funding for the session is also questioned and there is a condemning reference to "government funding" without specifying what governments (Norway and Australia). The World Council of Churches also provided both funding and the site and dormitories, which WCC owns.

Regarding content and instruction, I received varying reports from many of the participants, mostly positive with constructive criticism.

I do not believe this kind of training course should be compared or put in contradiction with the pre-meeting, the objectives of which were different. The idea of the special training session is to bring U.S. personnel (none of whom are indigenous) to indigenous participants to share their knowledge and experience, and to demystify their "authority". Therefore, to assert that there were not sufficient indigenous instructors is simply contradictory to the stated purpose of the course. One may still disagree with this prupose, but many indigenous people have expressed need for such dialogue in order to actively participate in the U.N. work.

Finally, the reference to "the political agenda of the course" is indeed obscure, since it is certain that there was no political agenda beyond the promotion of the indigenous peoples rights.

Hopefully, in the promised future memorandum, the facts will be fully elaborated so that ommission and nuance do not create a false set of criticisms. On the other hand, constructive critique of any such activity is useful.

I have here expressed my personal opinion and that of my organization, Indigenous World Association, and do not presume to speak on behalf of the organizers themselves. I simply believe they are attempting to do something quite useful (with no compensation) and should be encouraged to continue. I also believe that indigenous people interested in participating in U.N. activities could benefit from future special sessions, as they could benefit from future pre-meetings of indigenous peoples. It seems that the matter of scheduling could be arranged so there would be no conlict.

Sincerely,
Roxanne Dunbar Ortiz

BLACK CANYON INTER-TRIBAL GROUP

Greetings!

I'm writing on behalf of the Black Canyon Inter-Tribal (B.C.I.) group, located at FCI Phoenix, a federal corrections facility.

B.C.I. is a new group, as new as this FCI which opened July 18th, 1985. We are 29 brothers strong right now in a total population of about 400 prisoners.

In 4 months we've come a long way but we're far from set with all our needs, which is the basic reason for this letter. A person who has been helpful to B.C.I., Kathy, suggested that I write and provide a list of things B.C.I. needs. Apparently she has discussed by phone the situation, with a person from the Notes' staff.

We (B.C.I.) would certainly appreciate any donations of the articles listed below:

1) A group subscription to Akwesasne Notes (5-10 copies)
2) 2 headpieces - 'Roaches' for dancing outfits
3) Leather - 1 to 6 oz. weight, any amount, scraps...
4) Feathers - plumes & hackles (color-any), pointers
5) Bells - sets or loose, any amount
6) Beads - seed beads No. 10-13's, pony & crow beads, any color
7) Printing - need B.C.I stationary & envelopes printed from original we will provide.
8) Any donations of sage, cedar, sweetgrass and bitter root.

That's about as much as I can list of things we have to get yet. We have bits & pieces of things, like we have some bells and feathers, but not nearly enough to go around.

I should mention also that we have a sweat lodge built and use it twice a month, the alternate weeks we use for drum practice. As yet we have no chanumpa (pipe) but one will come when its time for us to have one.

If it's possible for you to help up out with any of the things on this list you can send me a letter saying what it is you can send then I'll give you instructions on the mailing requirements, (somethings require a mailing permit).

Thanks for your time.

In Unity & Peace,
Dale N. Smith

Navajo Unit, A
Box 1700
Black Canyon Stage I
Phoenix, AZ 85029
(No. 90045-132)

Big Mountain Controversy & 60 Minutes

January 14, 1986

Dear Friends,

I have been following your coverage of the Big Mountain controversy and felt that I somehow wanted to support the cause. As I am not a professional journalist, I sent the attached letter with copies of your past three articles on this issue to 60 MINUTES in New York. I am hoping that they will read the articles and possibly do a segment on the Big Mountain story.

I have forwarded a copy of the letter to you with their address so that you may send them any other information that you may have. I also believe that if they received more letters, they might be better persuaded to investigate the issue.

Would you print their address in your next issue? We will probably need many responses.

Thank you for your cooperation. I hope this will help.

Peace,
Linda Boulanger

January 10, 1986

60 Minutes
524 West 57th Street
New York, NY 10019

To Whom It May Concern,

After years of learning and receiving information from your program, I have now been following an issue which I would like you to investigate and expose. This issue revolves around the Hopi-Navajo Joint Use Area and the subsequent 1974 Relocation order of those Navajo living in that area.

While some media publications, namely NEWSWEEK and the NEW YORK TIMES have touched on this issue, no major media program or publication has studied ALL aspects surrounding this multifaceted problem. Much has been made of a "supposed" range-war between Hopi and Navajo over the land, but little coverage has been given to the power and utility corporations interested in the coal and uranium wealth at stake under the Joint Use Area; companies such as Peabody Coal and the United States government, which have controlling interests in the tribal council of the Hopi as well as, obviously, the state.

As of July 1986, all of the Navajo must be removed from the area per order of the 1974 Relocation Act. As Richard Morris, speaking for President Reagan, on May 29th said, "Eviction of those Navajo could be enforced by U.S. marshalls and the U.S. military."

My request of 60 MINUTES is that you investigate this issue from all angles. I am not a scholar on the politics involved nor am I exceedingly articulate but I have enclosed copies of the AKWESASNE NOTES, to give a broader and more in depth introduction to the matter. The issue at hand is not simply tribe versus tribe but the struggle of a proud people against the pressure and manipulation of corporate industry in the United States. Views need to be heard and assessed from not just Council members but from TRADITIONAL natives as well. The influence of utility companies and Peabody Coal must be brought to light and not bought off or silenced.

Native populations in this country have been harassed enough in our history. It is 1986, and such actions should be stopped. If we lose all respect for what remains of independent tradition and culture within our country, then we have lost what it means to be Americans.

Please analyze the information I have provided and any subsequent information that you may collect on this issue. We have until July of this year, we need support.

Sincerely,
signed
Linda M. Boulanger
Boston, MA 02114

BIG MOUNTAIN/LETTER TO REAGAN

"Is it true that..."

Dear Mr. President,

My name is Doris Widmer and I live in a little country, called Switzerland.

This year I was invited by Mr. Reymundo Tigre-Perez to get better acquainted with your beautiful country, the United States. I also had the honor to witness the Sacred Indian Sundance in Big Mountain, Navajo-Hopi Joint Use Area, Arizona. At this ceremony I learned that by July 1986 ten thousand (10,000) Navajo Indians will be forcefully relocated by the United States Government from an area where they have lived for generations peacefully with their neighbors, the Hopis. The Traditional Hopi Elders themselves object to the relocation of their neighbors, since they do not believe in boundaries or fences but in caretaking and respecting the Mother Earth. However it seems that an assimilated non-traditional Hopi Puppet.Government (so-called Tribal Council) that does not represent the traditional people, plans to sell the disputed land, where Navajo families and their livestock, now peacefully live, to uranium mining companies. This would not only destroy the gentle balance of this arid land but also destroy the traditional way of life of Navajo's and traditional Hopis which has been preserved for centuries and whose wisdom is a jewel for all mankind to learn from.

I cannot believe, Mr. President, that this should happen. I am very concerned about the fact that many thousands of people should be up-rooted and destituted of their homeland and only means of existence in a progressive country where the avenues of justice and human rights should not be in question.

The prayers at the Sundance touched me deeply. When I looked into the eyes of the Elders, I felt the pain and sorrow and concern for the land.

Dear Mr. President, visit this land and its inhabitants yourself. Honor the laws of nature, then you will realize their plight and help them. So many injustices have been done to the Indian people, now maybe it's time to help.

I know that your time is limited. May I nevertheless expect a few words from you?

Respectfully,
with all my love,
Doris Widmer

Big Mountain JUA
DON'T LET THEM RE-LOCATE

Sheep in JUA, Summer 1985 Photo: Barbara Preskorn

Yanabah Kadenehe at Big Mountain Photo: Cate Gilles, 1985©